P 125 F-K

App F IX 4

Previous References

1953-54 (C H)

File No 34-53-

Serial Nos 47

Later References

MYSORE GOVERNMENT SECRETARIAT

Serial Nos one

Part B for April 1954

SUBJECT

Amendment to the Mysore Amusement Tax Act

WD 03555—GPB—25 000—2 7 53

DHB

C F 741

WD 01547—GPB—40 000—9 12 49

Routine Notes

[To be used only for note requisitions etc not intended for permanent record]

3915

GENERAL & REVENUE SECRETARIAT 6820 11 MAY 1948 MUNICIPAL BRANCH

1) There is a general impression that there has been evasion of tax under Entertainment Tax Receipts The total collections both in cash and stamps do not exceed Rs 3 lakhs Out of this 87½% is transferred to Local Bodies The Revenue Secretary is requested to kindly furnish a note explaining the present position regarding the officers who administer this Act, what are the existing rates of tax the possibility of enhancing the rates, how leakages in Revenue if any could be safeguarded The note is required by 10th for submissic to the Minister, Finance

Revenue Secretary,
with compliments

5/5/48

XXX

7/5

Asst Secy
Mr B—
for action immediate

7/5

In Mr Secy Ltd
for
7/5/48

submitted with a detailed note on the subject.

11/5—3) The file received from the H Branch with order of the Minister for Finance is also placed below

Revenue for 11/5/48

14) → A separate note as desired is put up

The unsatisfactory collection of this tax appears to be mainly due to the following causes -

1) As opined by the Comptroller in his letter dated 30-4-1948 there is no proper check or control exercised both by the Deputy Commissioners and the Police Department who are mainly responsible for the proper levy and collection of these taxes

2) No proper staff has been detailed for checking and collection work There appears to be no responsibility fixed on any person in this respect

3) It appears to be not a desirable thing to ~~leave~~ have exempted all amounts within four annas from the levy of this tax This offers a good ~~key~~ loop-way to evade payment of the tax under the plea that the amount is within four annas It is therefore desirable to subject even the amounts under four annas to this levy however small the rate of tax might be, as this would prevent leakage, and facilitate proper checking It might even bring in much more revenue to Government

6) As a preventive measure, it is suggested by the Comptroller that the administration of this tax should be vested in the Municipality itself I am of opinion that such a step, if taken might prove very fruitful

7) Similarly it appears also desirable that our present rates are revised with reference to the rates existing either in Madras or in the civil area, Bangalore

8) It would also be beneficial to ask the Efficiency Audit to carefully investigate this matter and to suggest steps to be taken to set right the defects existing in the present system

6820 al Note re - Entertainment Tax

c 1,31E

7) Finally, the Deputy Commissioners also may be asked to submit reports within one week after proper investigation, and to suggest in what manner the present defects can be removed

8) The Municipalities also will be consulted as directed by the Minister for Finance and Industries in his note dated 8-5-1948 placed below

(f & J

Minister for
Fin & Inds
thro'
Financial Secy

12/5/48

FINANCIAL SECRETARIAT
U.O.No. FI 8043
13 MAY 1948
BANGALORE

9) On the contrary if the administration of the tax, i.e. its collection is left solely to the Municipalities, it is doubtful if even the present amounts would continue to be collected. However this question does not arise, since it is proposed to hand over the administration to the Municipalities. Their opinions may throw further light on the matter

13/5/48

DEPUTY SECRETARY
14/5
TO THE MINISTER

15/5

OFFICE OF THE MINISTER FOR FINANCE & INDUSTRIES
No 3788
Date 15/5/48

10) Let me be consulted when the notes are made -

20/5

21/5

11) Put up with draft letters

12) Put up what about Consulting the Municipalities in this connection? Can we issue rules under the Act?

31/5-1948

12/6

5856/1 Note - re Entertainment Tax

16) The draft is revised suitably — Ref para 15 supra

17) Appropriate action — file

Mrs 14/6 Mrs case regrets to be rejected finally dropped
For Member 15/6/48

To,

The Dir's of Reliefs

L 17811-9 & 18/6/48

calls for three copies

L 17800 - 1 - c/f to the

Municipal Commrs

of Bangalore & Mysore

Letter No 173 P 157/47 & 8/6/48

from the PRC, Mysore enclosing a

forwarding the letter of the Municipal

Commrs in the matter

18) The Municipal Commrs

requests that either he or any Officer

authorised by him to enter

into any place of entertainment

to check the tickets and
to authorise the mfg- to
have the agency for
supervision over the collection
of the tax

19) In this connection,
it is submitted that the
D.C's of Districts have
been requested to furnish
their opinion as also of
the municipal councils
in their respective districts
on the desirability of
authorising the municipal
employees to check the
collection of this tax
The proposal of the system
of mfg- may also be
considered after the
receipt of replies
from the D.C's, as this

re Entertainment Tax

V 856/20 V 7623/ml

is a question of common interest to all

2) In the meanwhile, the collector, civil station may be requested to furnish information as to whether the local municipality has any say in the matter and what ~~procedure is followed to check the collection~~ method is adopted to check the collection of this tax submitted with a draft letter ~~enclosed~~ for approval or other orders

Mrs 24/6 for 24 6 21) Issue advice by registered post

24/6/28

To,

The President,
Municipal Committee
L 1 & 139 & 25/6/28
calls for certain
information

545/and re Entertainment Tax)

From the Presidency Municipal Commission Bangalore

No A2-2164/48 & 20/7/48

Furnishes the information called for

2) submitted with his draft reminders 1) to the D.C's etc and 2) to the RL comms of Bangalore & Mysore

28/7/48

23) Approved 31/7/48

2 11152-8 & 4-8-48 — D.C's for Asstts

2 1159-60 & 4-8-48 — RL comms of Mysore & Coorg

Letter No J2 P A C 5444/47 & 20-7-48 from the D-C Chikmagalur

Letter No 47/B 11 & 26-7-48 from the Comptroller

Letter No M3 C 28-5/43 & 7-7-48 from the D.C Shimoga

Furnishes the information called for

24/ Orders of the Rev Secy in the
letter of the comptroller –
"References"

(2) S A
29/7

25/ The file is submitted. Information
called for from the Dy Secy, has yet
to be received from certain
offices. A reminder was issued
on 4-8-48. Ref from a 24 ante

Mr 6/8 Pr
7 pages

It would take sometime
for the replies to be received from
the offices, to consolidate the same,
to pass orders thereon
On the memorandum the Myuncipal
Council has been requesting for an amend-
ment of the Act so as to provide for
levy of fees or tickets for admission
below 4 annas and
note at once on the subject & maybe
necessary to pass an enabling act to amend
the Act to the effect especially the cinema
fees
11/8/48

Letter ~~NR~~ d 11-8-48 from the
D c Ickes

Letter d 11-8-48 from
the Sec Comm

Letter d 23-8-48 from the
D c Chastain

Letter d 24-8-48 from the
D c Chungo

Letter W L Ds A1-c 352/48
-49 d 25-8-48 from the
D c Harlan

Letter 110 W P R1/48-49 d
22-8-48 from the D c Mungo

Letter W W 3 c 160'8/47-48
d 1-9-48 - D c Ickes

Letter d 22-9-48 from the
Sec Comm, Chungo

Letter d 1-10-48 from the
President, Nyasaland d

Letter ~~NR~~ d 25-11-48
from the D c Chastain

Letter d 22-6-49 from the
~~Sec Comm, Dawnings~~
D-c Chastain

re Entertainment Tax

Letter No A1 353/47-48 of 13-12-48 from the Dy. Commr., Ang. in the matter

Letter of 6-1-49 from the D C Ongole Distt

19) The reports received so far are submitted with the link file for orders

Submitted
The main file has not yet received
hra 5/4

Letter No J C 57/49-50 of 7-9-49 from the D.C Tenali Distt

20) Submitted

The main file bearing to the amendment of Section 9 of the Hyderabad Amusements Tax Act has been obtained from the Legal Branch & is linked herewith

21) If approved, the contents of Memos 12 to 17 of the notes

1917/ml re Entertainment Tax.

The linked file will be got typed on this file for taking further action & the linked file returned to the Legislative Section

Ma 27/9

22) Yes please 27/9/49

23) The following is the extract of paras 12 to 17 of the file No RL 62/LEGIS-2-49-1 dated 18th July 1949 -

It has been brought to the notice of Government that the proprietors of Cinemas receive four annas for the last class ticket of which a sum of Rs 0-3-11 or Rs 0-3-9 is actually entered on the ticket This is done with a view to evade the payment of the stamp fee It is therefore suggested that the payment of the fee of three annas or three and half annas should be deemed as four annas for the purpose of taxation to prevent fraud It will be seen from the opinions received from the several Deputy Commissioners that provision may be made to the to the above effect in the Act or the rules framed thereunder This is an important question which effects the income of local bodies The Mysore City Municipal Council has urged action being taken in this behalf The point for consideration is whether in order to give effect to this suggestion, the proviso to section 3 of the Amusements Tax Act should be amended or it would be sufficient if rule (i) of the rules issued with Government Order No L 7441/M1 275-32-13 dated 12/15th May'33 is so amended as follows -

> "Provided that when the payment for admission is 3½ annas and more the same will be deemed to be four annas under this rule "

A/ On this point the opinion of the Legislative Department may be obtained

2-4) In regard to the entrusting of the supervision of the working of the rule as to whether proper stamps of the required denomination etc , are being used by the proprietors of Cinemas, it may be submitted that, under Section 11 of the Act, the Government may authorise any officer to enter any place of entertainment while the entertainment is proceeding etc , to see whether the provisions of the Act or any rules are being dealth with One of the reasons for leakage of revenue is said to be the want of adequate supervision This defect can be remedied to some extent by authorising the following officers in the City Municipalities and District Head-quarter Town and other Municipalities to conduct supervision under the provision of this section -

1 The Municipal Commissioners of City Municipalities, Bangalore, Mysore, and Davangere

2 The Special Magistrate, K G F in the K G F Sanitary Board Area

3 The Chief Officers whereever there are such Officers

4 Amildars of Taluks in other Municipalities

2-5) The above suggestion is made for taking immediate action in this behalf If the question of entrusting the work to the authorities of local bodies is to be considered and orders issued thereon, it would take time The arrangement now suggested may be adopted and its working watched for about six months In the meanwhile the question of amendments to the Act may be considered

2-6) The detailed proposals called for from the Deputy Commissioners of Districts are awaited As soon as they are received, they will be consolidated and submitted They require further consideration ~~ex~~ as the Act and rules framed thereunder will have to be amended to give effect to them Moreover, the application of the provisions of this Act to the area of the Civil Station will have to be considered and the schedule of rates of levy of this tax will have to be suitably modified in respect of this area, only and another schedule

schedule prescribed for other parts of the State All these would take time for careful consideration and adoption

27) The points referred to at Paras A and B are for Orders

28) Submitted with reference to para 23(A)

29) A return has already been taken in the Legislative branch amending the Amusement Tax Act and the ~~Act~~ Amendment Act passed in this behalf is flagged N

fly N

30) According to this amendment, the restriction ~~of~~ not to levy entertainment tax when payment for admission is less than four annas (vide proviso to section 3(1) of the Act) has been removed and the tax can be levied ~~where~~ when payment is less than four annas

At present tax is being

General and Revenue Secretariat | File No | of 19

Serial No

31) According to the provisions of the Act, the rates of Tax shall not exceed 25% on all payments for admission to any entertainment, subject to the condition that the tax shall not be leviable where payment for admission is less than four annas As per notification issued in the year 1933, the rate of levy of tax was fixed as follows, subject to the further enhancement thereof as against each —

(a) 3 pies where the payment for admission is four annas or more and less than eight annas (flg P) This was enhanced to 4 pies — Vide GO of 24-5-44 (flg Z) Mt 186-43-10

(b) 12½% where payment is six annas or more (flg P) This was further enhanced by 50% — Vide notification of 8-2-44 (flg Q)

32) In view of the present amendments to the Act, as noted in para 30 supra tax may be levied where

× flg P (notification No 74 41 & 12/3/33)

Note —Contn Sheet.

fragment for admission is less than seven four annas Hence, a flat rate of 4 pies may perhaps be levied as entertainment tax where fragment for admission is less than eight annas, the rate of levy for eight annas and more being continued as at present if approved, a notification will be issued accordingly

33) In regard to the other proposal referred to at 'B' in para 24 of the notes re entrusting the supervision of the working of the provisions of the Act so as to check the collection work and prevent leakage of revenues in this behalf, the following officers may be authorised to exercise supervision conduct supervision under section 11 of the Act -

1) The municipal commissioners of the cities of Mysore and Bangalore or any officer authorised by them in respect of these cities

Serial No

2) the special magistrate K G 7 or any officer authorised by him in the K G 7 sanitary board, area,

3) the chief officers, wherever there are such officers in Town Mutties,

4) Amildars of Talukas in other municipalities or officers to be appointed by the concerned mutties

34) In regard to bungalow etc, no action can perhaps be taken at this stage, as the local municipal area is being merged with that of the rural station, from 8-12-49 this question may be examined later on

Formation of bungalow corporation

35) In the above circumstances the points referred to in paras 32 and 33 are submitted for orders

(In this connection it may be stated that in regard to the point in para 33 supra, the District magistrates who were consulted in the matter are agreeable to the proposal of entrusting the work

Vide reports subsequently

Note—Contn Sheet

re Amendment to Entertainment

917/hul File No Tax Act 19 of 19 | General and Secret | Serial No

Information work to the municipal authorities)

36) submitted with reference to paras 11+12 of the notes

Mrs 29/11 dhl

Payment of admission — Fax

1) Where the payment of admission —

(1) is two annas or more but is less than 4 annas — 0-0-3

2) is four annas or more but is less than six annas — 0-0-6

3) is six annas or more but is less than 9 annas — 0-0-9

4) is 9 annas or more but is less than 12 annas — 0-2-0

5) is 12 annas or more but is less than 1-3-0 — 0-3-0

6) is 1-3-0 or more but is less than 1-8-0 — 0-4-0

7) is 1-8-0 or more but less than 2-8-0 — 0-5-0

8) Rs 2-8-0 or more but less than Rs 5 — 0-7-0

payment of admission

Where the payment of admission —	Tax
1) is two annas or more but is less than 4 annas	0-0-3
2) is 4 annas or more but is less than six annas	0-0-6
3) is six annas or more but is less than 8 annas	0-0-9
4) is 8 annas or more but is less than 12 annas	0-1-6
5) is 12 annas or more but is less than 1-3-0	0-3-0
6) is 1-3-0 or more but is less than 1-8-0	0-4-0
7) is 1-8-0 or more but is less than 2-8-0	0-6-0
8) is 2-8-0 or more but is less than Rs 3-8-0	0-8-0
9) is 3-8-0 or more but is less than Rs 5/-	0-12-0
10) is Rs 5 or more but is less than Rs 7-8-0	1-0-0
11) is Rs 7-8-0 or more but is less than Rs 10	1-8-0

12) is Rs 10 or more Rs 2-0-0

37 In connection with the working of the Bijapur Entertainment Tax Act which was promulgated on Dec 19 32 it certain facts have cropped up for decision as a result of the experience gained in the working Thereof the rules framed thereunder the above Act was amended by the issue of the Bijapur Amusements Tax (Amendment) Act 1935, according to which the proviso to sub section (1) of Sec 3 of the Act of 1932 has been cancelled with the result that all classes whether below 4 as mentioned became taxable. The present rate of levy of entertainment Tax were fixed in the proceedings No L-4411/34 dated 19/15 May 1933 vide 32-1-3

as modified in note no 2

8157 / Tel 107-43-77 dt 8-2-44

from no L 11862-76/Tel 86-43 to

dt 11-5-1944

These rates have not been further changed consequent on the coming into force of the amendment effected in the year 1945 the Government is very necessary to fix the rates of entertainments tax (exclusive of payment for admission less than four annas) The maximum rate of tax leviable under the Act is 25% of the value of the ticket issued in respect of a particular class The amount actually levied is 18¾% on tickets above 8 annas and 4¾% where the payment for admission is 8 annas or more but is less

than a annas Hurup regard to
the fact that the 18¾ ato Chunk has
been in force for six years, the
enhancements that now to be fixed might
approximate to it in respect of each class
of Trades. The tentative rates that
may be fixed are noted in Statement A in
the preceding pages. Steps for orders of the
Govt in respect of necessary rates
Govt rates may not be adopted with advantage
Urgent orders are necessary on this point
as the Local Boards will otherwise stand to lose
a substantial portion of their legitimate revenue,
in view of the increasing loss on
of cinema now operating in the State

37(A) Question of entrusting the working of the
Act to the Municipalities Concerned

In order to minimize the loss to the
Municipalities by reducing the leakage, it
is suggested that the work of
Supervising the Collection of cheaps

The correct issue of tickets during
stamped, it has been suggested that
the work might be entrusted to the Municipal
authorities concerned the City Magistrates
(Deputy Collectors) who were consulted have
are generally agreeable to the proposal
Experience of the working of the Act
in the Madras State & the Bombay Presidency
shows that the working of the Act is
retained by the Government concerned,
a portion of the proceeds being handed
over to the local bodies concerned
Even in the Mysore State, the same
type arrangement is in force, the Govt
retaining 12½% of the receipts & the balance
made over to the local bodies This is
a potential source of revenue to local
bodies In Bombay the Select Committee
has recommended the extension of the provisions
of this Act to all the cities in the State
& the retention of only a small portion
of the proceeds so as to provide for
collection charges Having regard

to all the facts of the case, it is
quite desirable that the working of the Act
should be under the supervision of Justices
as at present. If it is to be handed
over to the municipalities, as the Bill
the Act requires to be amended suitably
Such a step may not be quite desirable.

The anomaly in the working of the Act in the Civil State Area

Civil State Area, has been attended
by the Municipal Commissioners as they
fell under the above Municipal Laws of 1897. They
are now merged in the above city and
corporation but till the Amendment
Act is extended to the Land area, it has
been ordered that the same procedure as is
in force upto 8 12 1946 may be
continued until further orders. But such
a system cannot be continued for long
and the laws in force in the Civil State area will have to be

brought into line with that in force
in the Bhiwandi (rural) area so that
only one kind of law (within the Corporation limits)
will have to be done from 1/1957 at least.
The Bhiwandi municipal Corporation seem to
have pressed on the attention of Govt
the desirability of entrusting the work
of the assessment - Mutation to it
But it must be said that, in the
existing civil station cum mission area,
the present - was the effects of the Tax
Station stopping of the Act was most
felt entail so that proper checking
effected in the collection of the Tax at
has amounted to Rs 1½ lakhs for years
varies in Bhiwandi area also less than
half the year, even though the No of
cinema houses in this Taluk is as large
as that in the Civil Station Area
further, this proposed amendment of the Bhiwandi Nirjara Amusements
Tax Act so as to be equally applicable

to all the local bodies (Corporation, Municipalities other cities — Bhatinda, Kapurthala & Batala) For the above reasons, the request of the Corporation for orders, as the Act cannot be amended for the sake of the Corporation alone If that is to be done, this task might be taken up when the provisions of the Corporation Act, as was in view in the Consolidated Law

38(A) Question of preventing leakage of revenue

At present, it is admitted that there is scope for leakage of this item of revenue The Comptroller has pointed out that the state of affairs is due to the fact that both the Deputy Commissioner & the police deptt are taking no interest whatsoever in the matter. The local bodies are not evincing any interest in the matter as they have no handle at it they must get whatever amount is allotted to them by the Comptroller (non-creation of an agency) to assist them in this direction & pending orders on the question of* awarding the contract if, so decided, it is necessary to issue an order

* which is a matter of policy

directing that the following officers may be authorised to conduct inquiries between under sec 11 of the Act —

1) The DC Commr of Police Dhanbad or any officer authorised by him in respect of those districts

2) The Second Magistrate, City of Dhanbad or any officer authorised by him in the said area

3) The chief officers of such officers in Tinsukia Cooch Behar (Cooch) Bihar other districts in the Assam-Bengal Valley

Accounts should be arranged so as to be maintained properly & regularly by the respective Circles & personal returns should be submitted in the Stamping stamps stated amount

The officers & officials concerned should be remunerated out of the

1917
mc

30

Amendment of Entertainment Tax

12½ o/o receipts returned by 10 Govt,
as an incentive for them work no
payment is made to them at present
and they cannot reasonably be called upon
to explain their lapses in this respect.
Early orders are required on the above
points so as to place the working of
the Act & the rules framed thereunder on a
regular basis

L Haig Secy) for
14/12/20

Works Agency
to impose
Amusements Tax
Punjab

39 It is not necessary to have only
one tax - both for the entire B'low city
Corporation area and the Tax to be
collected also realisable minimum we may levy tax
of 3 pies on every ticket of 2 as or more & less
than 4 as & continue to levy the existing tax
on tickets of Govt. Gas & Govt is contemplated to
levy performance taxes as addition to
entertainment Tax, though it may be for all
outward purposes two distinct Taxes i.e. Performance
Tax, would practically be borne by the Proprietors of shows
and Cinemas. The agency of collecting this Tax may
continue to remain in the hands of Govt and the normal

Entertainment Tax 31

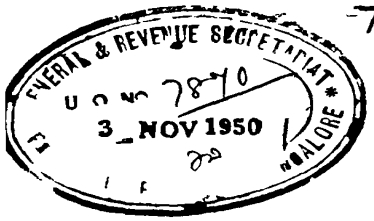
1917
Mc

Percentage of 12½ realisations credited
to Govt and the balance to Municipal Funds
To have more effective check we may perhaps
empower the officers mentioned in [illegible]
Put up and Present - Leakage of Revenue from
this Source

40 The file relating to the levy of Performance
Tax has been separately put up for orders

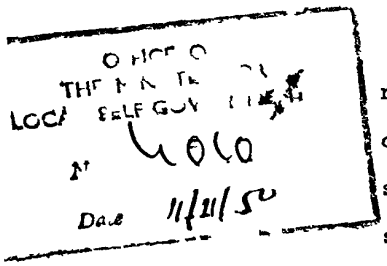
L S G Minister
Minister for Finance & Parliamentary Affairs
Chief Minister
through the Financial Secretary

Ley 28/10



A/S for
Early
3 11 50

41) Most of my apprehensions which prompted my note dated 5th May 1948 -- Please see the opening page of the notes -- have come out true



42. The papers inevitably lead to the inference that there is not merely a leakage of legitimate revenue but a substantial loss of revenue itself due to want of proper check This fact clearly shows that there is practically no administrative check It is stated that the Police are entrusted with the work of checking the collections They are expected to obtain statements of tax recoverable on the collections by sale of tickets and forward them to the DeputyCommissioners of Districts The replies received from the Deputy Commissioners show that there is no check exercised in the Deputy Commissioners' offices This therefore is the greatest lacunae which has to be remedied at once I am not sure if the Officers mentioned in the note above, for example, Municipal Officers, Amildars and Chief Officers of Municipalities, should be able to

7878/X

bring any effective check at all I wish the Administrative Secretary had given a more positive suggestion

13 So far as Bangalore City and Civil Area go, there are any number of Cinema houses and every one of them, as far as I know, is full to capacity during every show inspite of the economic scarcity against which the people are said to be struggling This single factor must prove to the hilt that the collection is not at all up to the mark Similarly, the present rate of amusement or entertainment tax is far below what it should be It may be said that the Cinema affords entertainment to the poorer classes I should hasten to say that the poorer classes unnecessarily hurt themselves by spending money on Cinemas This aspect apart, he who wants such entertainment could easily afford to pay some small tax to cover the variety of expenses which go to make such an amenity possible I have looked into the rates obtaining in Madras also as set out in the notes above After comparing these rates with those in Mysore, I suggest that the rates may be stepped up as under

Not exceeding four annas	25%
Not exceeding one Rupee	33 1/3 %
Exceeding one Rupee	50%

After stepping up the rates as above, we must set up a proper machinery to exercise a vigilant watch on the collections As mentioned above, the officers indicated in the note may not be able to exercise such vigilance I would therefore suggest that the overall supervision of the collection be entrusted to a Head of Department, for example, the Sales Tax Commissioner, who is also the Commissioner of Stamps It is of course necessary to consult him before hand The Commissioner may be requested to forward his suggestions for tightening the watch over the collection and get the necessary help from the Deputy Commissioners of Districts Regarding the rates, necessary action may be taken towards legislation

"211"

9 11 50

1917 mel

4010

33

Entertainment Tax

41) The question of performance Tax also is under the consideration of Govt & the same has been referred to the Finance minister by the Council for being worked up. The question of entertainment tax also may be taken up together & decided so that it will be clear at what rate the entertainment tax & the performance tax should be levied, the apportionment between the local bodies & the Govt & the agency to which the collection should be entrusted & the corporation of Bangalore & some other Mlties have already made their representation to Govt that the full collection of entertainment tax should be given to them & the task of collection must be left to their agency when all these things are there I feel it desirable to take both these things together so that it may facilitate early solution of both these problems

Dr 10/12/50 MS 13/12

Rec'd 12/12

45) Better have a conference of all the depts concerned & the Ld G Secretary chamber

Ld S 29/12

OFFICE OF THE MINISTER FINANCE & INDUSTRIES. No 5503 Date 14-12-50

46 I agree Dr 5/1/51

Office of the Minister for Local Self Government. No 4305 Date 30/12/50

Office of the Chief Minister No 8265 Date of Receipt 28/12/51

MU 5/1 MS 5/1

Rec'd 5/1 MS 11 Time 15/1

47 Rea 13/1/51 MU 16/1 MS 16/1

Entertainment Tax.

7524/Ind

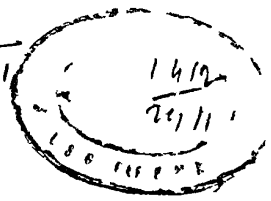
48 submitted with reference to the orders overleaf

If approved, there will be further after the L A session

Mon 19/1

For orders

L S G Secy) MS 23/1



49 For orders if any the following officers may be invited to meet the Hon'ble Minister for L S G & for Finance and Inds

Chief Secretary Commissioner for Sales Tax

Financial Secretary

D C Bangalore

Municipal Comm Bldg Corporation

I G P

& (2) on what date the meeting may be held at the Chambers of the Hon'ble Finance Minister

Minister for Fin)

MS 3/2/87 MS 6/2

Delinked from file No 3820/84 19/4/87 re performance Tax (received on 16/3/87 Mon 16/3

= Entertainment T

7524/ml

3571917/ml

submitted

50 The Financial secretary have sent for the file if approved, this will be sent to the Finance Minister direct from here

MA 6/2

MS 6/2

57 This file was found linked with the file bearing 3820/71 re performance Tax which was received here on 15/3/57 and which is delinked and submitted separately today

This may now be sent by the P.A to the Finance Minister for submission to the Minister -

vide orders of the Sec'y on the previous page

P.A to the Hon'ble Minister for Finance & Industries MS 16/3

MA 16/3

7306
D. 17 3 51

Subs

52 Note of the L.S.G Secy on the previous page is for perusal A meeting will be convened after the Budget Session of the L.A. if appd.

53 The Bill may be kept ready for the consideration session in July 1957.

17/8/51 MS 16/3

— F. D. — 34 —

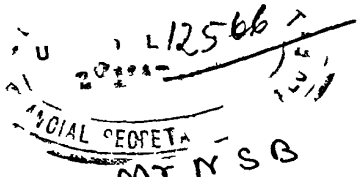
re Entertainment Tax

7524/ad

54) This is a Council case in accordance with the orders of the Hon'ble minister for L S G and the Hon'ble minister for Finance & Industries at paras 44 & 53, the file may be refd to the FC Secll for favour of taking further action in the matter

L S G Secy) MS 19/3

Fl Secy) 55 MS 19/3 MS 19/3



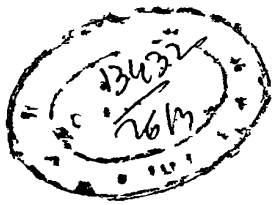
MINSB

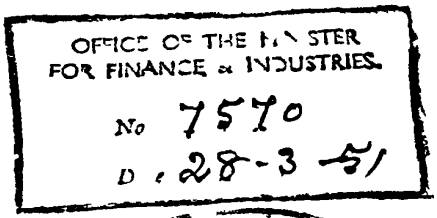
56 Early

21 3 57

57 Para 51 This should not have been dislinked from the other file In view of the levy of seating tax, the proposal to enhance the Entertainment Tax is deferred

Minister, Finance) through) I S C Secretary) 24/3/51



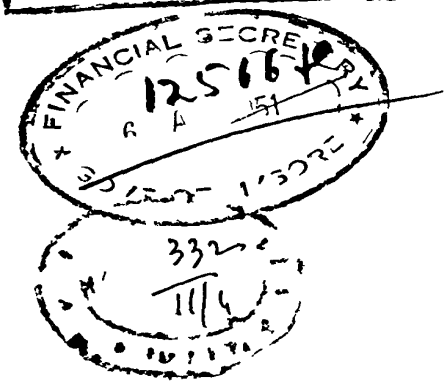


58 Hex

S 4 51

6 4 51

L S G Secy) MS 10/4



11/4 MS 12/4

59 Extract of the orders of the Dy secretary on file bearing O No 404/51-52 -

" The question of consulting Municipalities to collect Entertainment Tax must be followed up immediately the H H has made a pronouncement about it in the recent session of the L A

(Sd) M S S
8/4/52

The points at issue in this file are -
1 The rate of Entertainment Tax to be fixed where payment for admission is below four annas
2 The question of extending the provisions of the ~~Entertainments~~ Mysore Amusement Tax Act to the rural areas, mofussil
3 Authorising Municipalities to collect the Entertainment Tax

Flg T | 60 Re-Item 1 - An amendment to the Mysore Amusement Tax Act omitting the proviso to sub-section 1 of section 3 thereof has been passed in 1949 Thus in effect means liability to the tax where payment for admission is below four annas A notification as to the rate of levy is due

Vide GO 8/24-3-44 / Flg N | 61 At present tax is being collected at the rate of four pies where payment for admission is four annas and less than eight annas stamps ~~are~~ of four pies are being supplied by the Stamps Depot for this purpose But the collection from pies in cash, wherever stamps are not made available, is bound to give the Exhibitors a chance of actually collecting [illegible]

tickets sold, due to fee being out of circulation and whereas prices, under these circumstances, gets only four fees out of the collection of six fees, Hon'ble regard ~~about the fact that~~ the entertainment tax ~~of~~ act is proposed to be extended to rural station areas of Bangalore — Vide para 63 infra — where tax is being collected at the rate of 1/2 annas when the payment is more than two annas but is less than six annas. Having regard to these facts, the following rates are proposed only in respect of payments of admission upto annas eight, the rates chargeable on higher payments continuing as in force, in view of the orders in para 58 above

1 Where the payment for admission is two annas but less than four annas — three fees

2 Where the payment for admission is four annas but less than eight annas — six fees

The rates proposed may be agreed MS 27/4

3 Where the payment for admission is eight annas & more — at 18 1/3 percent subject to the same exemption as in force (Vide page 17 of the book enclosed)

62 A notification fixing the rates as above will be issued, if approved

63 Regarding extending the provisions of the Entertainments Tax Act to the rural stations are - it may also be considered whether it is expedient to extend the application of the Act to the rural stations areas in supersession of the existing Regulation governing the levy of this tax, so that the same rates of taxation would apply in both urban and rural areas as in the other parts of the urban and so that only one kind of law operates in the Progress. Any loss of revenue from this tax due to the application of Municipal Laws to the rural stations areas may perhaps be ignored in order to bring in uniformity in both the areas governed by a single body of law. A notification will be issued under section 3 of section I of the Municipal Entertainments Tax Act 1932, this being made operative ~~with immediate effect~~ from 1st April 1933 for orders

Fly 2 — there are only bye-laws under the Bangalore Municipal Laws

May be done in Consultation with the Law Secy

MS 27/4

64 Item 3 - Authorising the manufacturers to collect Entertainment Tax A detailed note has been furnished in this respect in para 37(A) above As already pointed out in those paras, it is perhaps not desirable to amend the Act authorising the manufacturers to collect this levy officers enumerated in para 38(A) may, however, be authorised

please see further notes in this in para 66 infra

has

re Entertainment Tax Collection

604/w

to conduct supervision and check under section 11 of the Act ~~[illegible]~~, this is for orders

Under forms

65 The above proposals are in forms 62, 63 & 64 submitted for orders, with reference to forms 58 & 59 of the notes

Mra 26/4 JHM

1 A copy of the 1 Amusement Tax Act is filed

66 As per instructions received from the Asst secy, Leg on 27/4/67, the following note is filed on the question of entrusting the collection work to the Mcpltys, in the light of the recommendations made by the Bhemaffa Nayak Committee on the collection of Entertainment Tax -

67 The Bhemaffa Nayak committee recommends ~~that~~

1 that the Amusement Tax Act must have a general application to all Municipalities, instead of extending the Act to any particular area, by a notification as this suggestion calls for an amendment, the purpose may be achieved by calling for information from the Mcpltys as to the respective municipal area or areas in them, Districts to which the Act has yet to be applied & then the ~~Act~~ Act may be extended to all such areas, under Section 1 (3) of the Act

The recommendations of the Committee may be accepted and Sec 1 (3) amended

MS 30/4

604/ul Entertainments Duty

2 "that the collection of entertainment
tax may be entrusted to the Mitres
& that, for any reason, it is not possible
to accept the suggestion, a ~~man~~ nominal
deduction may be made as collection
charges" At present 12½ % is being
recovered as collection charges of the
net receipts ie exclusive of commission
allowed to the Stamp Vendors,
as referred to in ~~para~~ para 3 of the
Ul 2446-58/
Ul 308-32-13 & 1-10-34 (page 25 of
the work book file) Having regard
to the promise made by the Minister for
Fin in the recent H of C session - Vide para 59 above
.68/ yes but subject to the Mitres may be entrusted to
collect this tax, then Sections 3 and
the recovery of stamps cost 1, 3 and 14 of the Act have to be amended
the Law Secy may be consulted

MS 3 that a tax on the Restaurateurs in
respect of all such performances may
be levied at one percent of collection,
the proprietor of the theatre being responsible
for the collection of this tax. This is perhaps
not desirable to levy any additional tax
at present. This is for orders

.69/ Not necy in view of the levy/ying sending
tax

Ma 30/4

L S & Secy) MS 30/4

1034 15

491

Entertainment tax collection

70) It is desirable to hand over the Collection of the amusements tax to the Municipalities if there is any legal difficulty in making this arrangement? If there is none — and if all that is needed is the amendments of the relevant sections of the Amusements Tax Act, can the Law Dept kindly indicate the views to their further action may be taken

Law Secy

DS 5/5/57

Entertainment 43 Tax

49/law

7/ The Administrative Secretariat will kindly furnish additional information on the following points -

1 The machinery which is at present attending to the work of collecting the amusement tax and the provision of law under which it so acts

2 Whether it ~~has been decided~~ is proposed to transfer the work of collecting the amusement tax to the Municipalities if so, under what provision of law, action is proposed to be taken

3 The legal difficulty apprehended

4 Any other suggestions

Dept Secy L S G / My 19/5. MS 23/5

It is true.
Can Govt delegate its power to collect a tax levied by them, to a body which is not a part of the Governmental organisation?

72 Submitted MR

Re item 1 above - The machinery for collection of this tax is understood to be the D C and the Revenue staff, under the provisions of rule 6 of chapter II, rules 19, 20, of chapter III and 25 of chapter V of the rules framed under sections 12 (1) and 13 of the Act

page 7 of the book put up (Amusement Tax Manual)

Item 2 - The idea is to transfer the work of collection to the Municipal councils section 13 provides for delegating the

1 604/ul Entertainment & Tax collection 44

604
LD

powers to any persons or authorities subordinate to the govt. The delegation of powers to the Local bodies is not permissible as the Law stands at present, as they (Local Bodies) are not subordinate to the Govt ~~to Local bodies to govt~~. Hence, it is for consideration whether it is necessary to amend section 13 and the relevant sections in the Act so as to enable the govt to ~~do~~ delegate this power to the Local bodies or whether this could be done in any other way. A

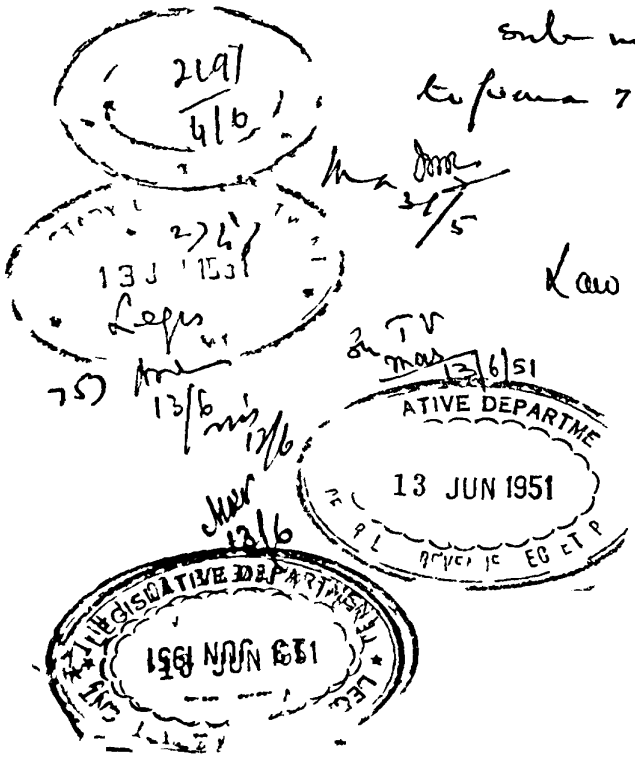
Items 3 & 4 vide note above (referred at 'A' above) as also on powers ranked in paras 63, 67 (1) & (2)

submitted with reference to para 71 above

73) d. S G Secy) MS 2/6

Law Secy)

74) MS 11/6/51 12/6



collection of entertainment
tax - delegation of power to
municipalities

76) Legal opinion has been
sought on the point whether
it is necessary to amend the
Bihar Amusements Tax
Act, 1932, for delegating the
power to collect entertain-
ment tax to the municipa-
lities. Section 13 of the Act
vests power in the Govt
to delegate all or any of their powers
under certain provisions
to any person or to any
authority" subordinate to
the Government

Municipal councils
cannot perhaps be brought within
the scope of this section since

collection of Entertainment tax
delegation to municipalities

they are neither persons
nor authorities, but rebuilt
to the government. The
expression "local authority"
has been defined in section
2(6) of the Act, and it is dis-
tinct from the word "authority"
used in section 13. Hence
it is necessary to amend
section 13 and any other
provisions, if considered
necessary in order to em-
power the municipal
councils to collect this tax
Details of the amendments
will be examined after the
administrative Secretaries
final decision on the proposal

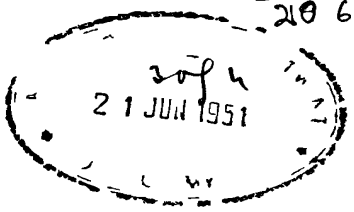
collection of entertainment 47 6.4.51
tax - delegation of power to Municipa
lities

and rules are passed for
statutory implementation

77) MMR 21/6

Law Secy)

20/6/51
Mas
20.6.51



78) See 13 of the Mysore Amusements Tax Act, 1932 cannot enable Govt to delegate the power to ~~recover~~ levy & recover taxes under the Act to Municipal Councils, not because they ~~do~~ are not persons but they are not persons or authorities subordinate to Govt - Moreover power of levy under sec 3 cannot be delegated at all under this section -

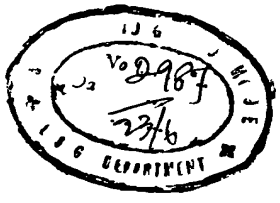
~~22~~) The Act certainly will require an amendment, if the power to levy & recover the taxes is to be delegated to the M C's -

Secy Legislative 22/6

MMR 22/6

Sec

This was exactly the difficulty I apprehended vide para 71 Mar



604/XD Collection of Amusement tax
Delegation of power to municipalities

79) If approved action can be taken to
Amend the Act (Sec 3) Suitably -

D/O
23/6/51

(LSG Minister)

VSA
21/6

Secretary
26/6

80) This point is not possible to do the same by an ordinance.

THE FOR
LOCAL SELF GOVERNMENT
No 1553
Date 26/6/51

Law Secy)

Secy
27/6/51

Addl Secy
27/6

3334
28 JUN 1951

Secy
28/6

Addl Secy
28/6

Secy (TV)
Mins
28/6/51

28 JUN 1951

81) The main question that has been examined and discussed at length in this file is to delegate the power of collecting the entertainment tax to the Municipalities. The question of delegating the power to levy the tax has not been examined

Entertainment Tax & delegation of powers to the municipalities

nor even limited, except in para 79 wherein the amendment of section 3 has been suggested

32 If the proposal is to delegate both the power to levy and the power to collect the tax to the municipalities, then these powers could appropriately be delegated under the Municipal Acts and there will be no need to continue the Hydro Entertainment Tax Act, 1932. The municipal council concerned may frame necessary Bye-laws for purposes of levy and collection similar to the levy and collection of any other tax leviable under the Municipal

Entertainment Tax - delegation of powers to the Municipalities.

83. If, however, the proposal is to delegate the power to collect the tax only, then it becomes necessary to amend certain sections of the Hydro Amusements Tax Act, 1933.

84. If approved, the views of the administrative Secrett will be ascertained on the above points and a draft Bill will be prepared accordingly to the ~~administrative~~ extent needed

85. As regards the minute of the Hon'ble Minister at para 80, it is submitted that there is no constitutional impediment to promulgate an ordinance, since the Legislative Assembly is not now in session.

7.51

entertainment tax - delegation of powers to the municipalities

S1

JMW

Please put up

86 There is no constitutional difficulty for the issue of an Ordinance.

87 Instructions are however solicited from the Administrative Secty as to the manner in which provision is to be made for the levy and collection of the tax by the Local Authorities under the Act - as it now stands the tax is levied and recovered by the Govt, and the proceeds of the tax are apportioned between the Govt (12½%) and the Local Authorities (87½%)

(1) Is the sole power to levy and collect the tax to be vested in the Local Authority? Otherwise it would result in entertainments being subjected to taxes by two sets of authorities, namely, the Govt and the Local Authority (2) Is the maximum rate of levy to be fixed in the statute or is it to be left to the discretion of the local authority? (3) Is there to be any residue of powers vested in the Govt, and if so what they are to be? (4) ~~Shall the payment~~ Is it proposed that some percentage of the proceeds is to be paid to Govt as at present, (5) If so in whose is the power to determine the percentages to be vested, and (6) and in what manners is the payment of the shares to Govt and to be secured? Hence ~~now~~ the Administrative Secty may be requested to kindly furnish these details for enabling a draft Ordinance being put up

JMW 12/7

Law Secy)

Secy (Leg) 88 JMW 12/7

JMW 12/7

3

LAW DEPARTMENT
10 JUL 1951
GOVT OF MYS

No 3804
12/7

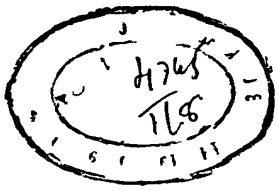
12/7 3/12/7

9 submit that with reference to
item 87 above under section 3(1)
of the Act, the Entertainment tax
is to be levied by the govt and govt
therefore levy the tax the present
proposal is to transfer control
over the collections to the local
bodies This means, the municipal
authority being charged with the
responsibility of collecting the tax
Hence, the tax should be made
payable to the local bodies
by ~~sub~~ substituting "Local body"
for "govt". The power of the local
body to levy the tax may be
made subject to the approval of
govt, if so desired, such a provision
will help a uniform rate of levy
9o When the collection work is
attended to by the staff of the
Local bodies, the question of giving
a share to govt does not arise at
all, the present recovery of 12½% of the
collection is made by way of
collection charges. If the Local
bodies are made responsible for
the collection they will only pay the
cost of printing stamps, commission allowed
to stamp vendors etc

collection of Entertainment Tax – delegation of powers
604/ml to Local Authorities 53

91 The maximum rate may continue to be at 25%, as it is now provided in section 3 of the Act. The other provisions such as enlarging the provisions of the Act to particular areas, granting exemptions, making arrangements for inspections and supervisions etc may continue to vest in Govt as heretofore except where it may be repugnant to the amendments proposed

– Ref from 87 above



Sec 28/7 PS

Leg Sec) 91 2/7/17

2 The main point for consideration is whether the power to levy the entertainment tax, which includes the power to fix the rates of tax and to collect it, should be transferred to the local authorities or only the power to inspect places of entertainment to verify whether the provisions of the Act are being complied with, may be given to certain specified officers of the Local Authorities In the earlier discussions the idea appears to have been only to vest the administration of the tax in local authorities so that these

may post their inspecting staff to check the places where entertainments are going on. In the later discussions however there is an underlying idea that the power to levy the tax may itself be conferred on the local authorities. In that case it has to be made clear that Govt cannot levy an entertainments tax ~~vote~~ in areas where local authorities have been empowered to do so. There is also the question whether local authorities which have separate enactments governing the levy of taxes by them can be allowed to levy entertainment tax without following the procedure prescribed for the levy of the other taxes by such local authorities. It appears to me that if the intention is to empower local authorities to levy such taxes, including the fixation of rates, and mode of collection, this has to be done by amending the Town Areas Act, the City Areas Act and the Corporation

Act and then introducing the rules applying the Mysore Entertainments Tax Act 1933 to such areas where the Local authorities levy tax under some other law Such a course would obviate the difficulties envisaged in Para 87

17/2/5

93 If, on the other hand, the intention is only to empower officers of the Local Authority, which gets 87½ % of the tax, to inspect & check that the provisions of the Act are being complied with it would be sufficient to amend ~~Section 13~~ of the Act ~~& Sec 13~~. So as to empower Govt to invest in a Local Authority with the power under sec 11 to authorise an officer to inspect thus the Local authority would be in a position to exercise supervision over places of entertainment and to see that there is no leakage of revenue In this case the proceeds will first be credited to Govt & the Local authority will get 87½ % of the realizations within its limits

Entertainments Tax — local equation of powers to make, &

duction An amendment of Sec 13 so as to provide for delegation of powers by Govt to a Local Authority also would be sufficient in this case

THE [illegible] FOR LOCAL S [illegible] GOVE NM NT
No 2773
Date 7/8/51

4th In my view the second alternative would be preferable. If the local authorities feel that the proportion of the tax retained by Govt towards the cost of collection of the tax and for the administration of the Tax Act is excessive, the position may be examined under Sec 16. and a suitable proportion fixed, having regard to the actual expenditure incurred by Govt

5th I may point out that some officers of the Local authorities have been empowered to enforce the provisions of the Liquor Shops & Bottles Act in certain urban areas there can therefore be no objn to empowering them to enforce the provisions of the Entertainments Tax Act, after suitably amending the Act

for L S G) 96 Please bring up on 9/7/51

TCJ 5/8

97 Discussed with the Secy

98 the entire collection of the entertainment tax may be given over to the Mills after deducting the cost of stamps the MC agency may be empowered to keep a check on the issue of tickets as to all the tickets so issued bear engraved stamps or not

A

11/9/51

11/9

11/9

99 submitted with reference to para

This appears to be a counsel matter before the file is referred to the counsel, the Legal section may be requested to draft an amendment to section 11 of the Act, consistent with the orders at 'A' above, in the first instance

100 The other point for consideration is whether, in regard to the power of Govt to make rules under the Act, the same powers as are provided under section 16 of the Madras Entertainment Tax Act (X of 1939) may not be taken except the ones in (h) (1) and (n)

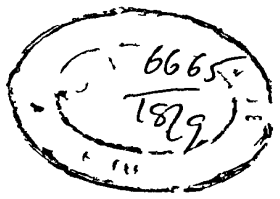
please see extract 16 of the Madras Act - flag 17

604/ML Entertainment Tax collection
604/LD 58 in Municipalities

Act amended suitably
– For orders with reference to
para 28 above

Mra 17/9

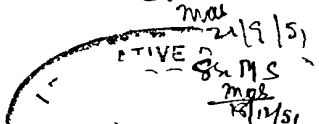
Secy LSG 18/9/51



1.1) For favour of suggesting a draft Bill to amend See 13 the Hyderabad Amusements Tax Act to enable powers under the Act to be delegated to a local authority also

1.2) See 12 relating to rulemaking powers may also be enlarged to enable Govt to make rules on all matters indicated in Sec 16 of the Madras Entertainments Tax Act of 1939 except cl(1) cl(f) of Madras Act (Sec 16) would enable Govt to exempt passes issued to certain persons for all purposes & being exempted from tax

Sri T V Mar 21/9/51



Law Secy

19/9 20/9 21/9

The Mysore Assessments Laws (Amendment) Bill, 1951 59

604/ML 604/20

Hajee M. (1.03) A draft Bill with the Statement of objects and reasons as put up for consideration

Dig 28/12 1.04) Please put up typed draft Bill as slightly revised

Mas 29.12.51

SecM S

1.05) Typed copies of the draft Bill as slightly revised are put up

Mg 3/1/52

Mas 3/1/52

Cg 5/1/52

Law Secretary)

Secy (Leg) 1.06) Mne 10/1

Cg 10/1/52

1.07) The dft Bill is suitable and may be considered in Council before introducing it in the Legislature

Hon'ble LSG & Chief Secy

phase bringing up 31/1/52

Discussed & agree with Secy 1/2/52

Hon LSG 1/2

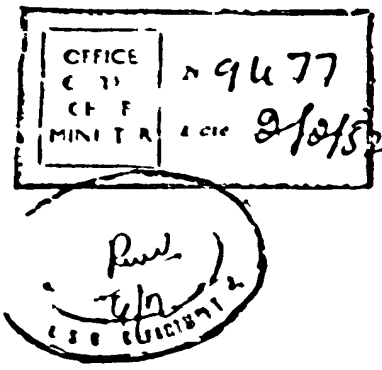
Hon CS 1/2

Hon LSG 28/1

Hon CS 28/1

The Mysore Commencement Tax (Amendment) Bill 1951

60



1.9) Council meeting

Rec
4/2/52
SLS
5/2

(ii) A Council note as follows

Sec 11/2
GS 11/2 Secy LSG)

12/2/52

GS
13/2

11594

Please type 12 copies
Sec 13/2

(iii) 12 Copies of Recent Copies of the Council note are perhaps The file may not be referred to the Secy Board for further action.

USS 15/2/52 Asst Secy CM Sect)

1612

GENERAL & REVE... Co... 18 FEB ... SECRETARIAT

C 390/51-52
Secretariat
to Cabinet
& Ministry of Council
15 2 52

15 2 52.

16-2-52

Branch Diary No										
	Date of Council Meeting	4 3 52	20 3-52					61		
D1/m1	Agenda No.	16	6							
	Result	Not Taken								

No C 390/51-52

SUBJECT —

Amendment to Sections 12 and 13 of the Mysore Amusements Tax Act

OPINION OF COUNCIL.

112) Instructions in Council

may be taken up in May for Consideration

Secretary, L S G)

113) Remarks for orders

16/4/52

114) The Bill may be introduced during the ensuing Session & the LA and the Bangalore Corporation are urging for orders empowering them

604/mk
51 62

The Rhythm Amusement Tax (Amendment) bill 62

to check the collection of Entertainment tax the draft Council note discusses Hag L briefly the reasons which necessitates the present amending Bill Hag 77 the matter may be considered at an early meeting of the council

Secy LSG & PHW & Chief Secy

Hag L 30/4/52
Hag 77 18/4
113) 1/5
215
18/4

116) Council meeting
20/5/52
20/5/52 Hag L
224

Office of the Minister for Local Self Government
No 286
Date 18/4/52

Chief Secy
953
2/5

117) Copy of the approved Council note already available will be typed and ten copies sent to the Chief Secy if appr
26/5
Secy LSG

118) For approval
29/5

119)
29/5/52
215

The Purpose Amusement Tax (Amendment) Bill 63 [App F III 2

General and Revenue Secretariat

File No 60 t/pe of 1951 52
WD 015452—GPB—PZS—40 000—1 10-51

Serial No

(20) Ten typed Copies of the note are put up. This may kindly be sent to the Chief Secy.

Asst Secy
Ch Secy

3/6 3/6

GENERAL & REVENUE Council of Ministers CHIEF SECRETARIAT

Council Min. No. C 24/52 53
For Consideration at a Meeting of Council
6-6-1952
Asst Secy

6/6

This may kindly be seen by LA for temporary exemption

6 6 52

Delinked from A No 1695/ml (Ch A Resolution No 449)

18/6

(21) The file now may be returned to Chief Secretariat

18/6 18/6

Asst Secy
Ch Secy

18/6

604/LD 1027/LD 52-53 64
51 52 C 74/52-53

Extract from the Proceedings of the TWENTY-SEVENTH *Meeting of the*
Kumara Aripa "
Council of Ministers held at Bangalore *on* 2nd July *1952*

SUBJECT:

Amendment to Sections 12 and 13 of The Mysore Amusement Tax Act

OPINION OF COUNCIL

122) The Council resolves that the proposed amendments to Sections 12 and 13 of the Mysore Amusement Tax Act may be placed before the Legislature

(SD) K HANUMANTHAIYA

CHIEF MINISTER

123) Secretary L S G)

4/7/52

xx

124) This may now be sent to the Legislative section for placing the bill before the Legislature

3 Copies 3 JUL 1952

5/7 8/7

Legislation 7/7

125) for Secretary Law Dept

EXTRACT

Chief Secretary to Government

3/7

2/52 3/7/52

Serial No

126) Can this bill be introduced from the LA today?

Sen TV Mar 8/7 52

8/7

8/7

8 JUL 52

127) prior to the introduction of the Bill in the legislative Assembly, it will be necessary to publish it in the Mysore gazette under rule 8 of the Rules of procedure and conduct of Business in the legislative Assembly and printed copies of the Bill be supplied to the members. Further, under the proviso to Rule 53 of the said Rules, copies of the Bill will have to be made available to the members 3 days before the Bill is taken up for consideration. Since the current session of the legislative Assembly will have sittings till the 15th of this month only (according to the present arrangement), all these formalities have to be gone through before that date, if the passage of the Bill

The Mysore Amusements Tax (Amendment) Bill, 1952

File No 604 V 1027 of 19 65

General and Revenue Secretariat

Serial No

in the current session itself is considered necessary. Suitable orders as to the action to be taken in the matter

(Law Secy)

128) Rule

129) For orders if further action may be taken to place this Bill before the Assembly in the present Session. This may necessitate suspension of Rule 53 of the Rules for LA, which requires 3 days notice to the members before taking up the Bill for consideration

(Min for L Sg & PH)

(Min for Law)

(Chief Min)

(Hon Secy LA)

130) Certain formalities have to be followed before the Bill is taken up for consideration, & it is not possible to complete these formalities on or before 15th July 52. The Bill may be brought in the next Session of the Legislative Assembly

132)

22/7/52

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL-SELF GOVERNMENT

No 2203

Office of the Chief Minister

No 2670

Date of Receipt 22/7/52

The Mysore Amusements Tax (Amendment) Bill, 1952 [App F III 2

General and Revenue Secretariat

604 ✓ 1952/L D File No 67 of 19

WD 015452—GPB—PZS—40 000—1 10-51

Serial No	
	133 This Bill has been included in the agenda for the October Session of the Legislative Council. A printed copy of the Bill and copies of motions for introduction, consideration and passing of the Bills are placed in the file.
A typed copy of section 16 of the Madras Entertainments Tax Act, 1939, (Flag K) is put up for reference	The file is put up for submission to the Minister for Local Self-Govt and Public Health

OF CERTIFIED PUBLIC LIBRARY FOR SALE GOVERNMENT 16 OCT 1952 No.

16.10.52 Mas

16 10 52

GA
W
Legislative

16/10

NOTE—Contn Sheet

Mysore Amusements and Entertainments Taxes (Amendment) Bill 68

2533
LD

134) The extract of orders on file bearing D No 6063/M1 regarding O M No LD 1596-1603/Legis 64-52-1 dated 16th January 1953 on which orders were sought whether the bills not passed by the Legislature during October Session may be sent to the Law Secretary for being placed before the ensuing session of the Legislature -

GENERAL & P... 8251 2-JAN ...3 JUDICIAL BRANCH

"YES Please send them separately to Legislature

Amusement Tax (Amendment) Bill

135) In the light of the above orders, this file may kindly be sent to Legislation Section for further needful action

Under Secy Legislation 29/1

Mr 29/1

29/1

Mr 31/1

Sec R S C Mas 30-1-53 LATIVE DEPARTMENT 30 JAN 1953 V UC EG T BRT

136) The file may be sent to the Chief Secy

TN 18-2-53

Mr Leg Under Secy 137)

Mr 18/2

Mr 18/2/53

138) This Bill has not been selected by the Council for being introduced at the ensuing budget session of the Legislature

139) This bill may now be returned to the Mysore Administrative Secretariat

...OCOT... Rse 20/2/53 Mas 20-2-53

Secy L.S.(S) 140)

Mr 20/2

by Amendment to Amusement Tax Act

8251

141) May kindly be reconsidered and introduced in the next session of the LA. The bill is non controversial

4/3

142) Chman) Cancelled meeting

Def
4/3

143) Ch Secy) Discussed in Council. Then may be Confidence Vote & complete up at the next session

Def
4/3

Secy. to Govt

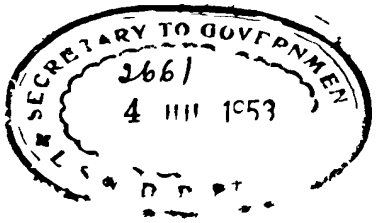
4/3
4/3/53

5/3

144) Orders may kindly be obtained to place this bill before the next session of the Legislature.

Secy
Dept)

16/6
17/6



145) Too late to bring it before the Session Starting on 13/7

4/9

8257/54
523

4683
534

Amendments to the Mysore Amendment Tax Act

146) Though the bill is ready, it has not come up before the last two sessions of the Legislature. The municipalities, particularly the Bangalore corporation, have been strongly urging for the transfer of the power of collection of this tax to local bodies. The file is submitted for orders when the bill may be placed before the next session of the Legislature

A

8/9

8/9/53

Secy (L&J)

147) 1/9

148) A for orders

20/9

21/9

148) A — may be deferred for the present

23/9/53.

23/9

150)

19 10 53

19/10

3165

5381
15 SEP 1953

5181
23 SEP 1953

This file may kindly be referred to Sri A.S. who is dealing with the matter

29/10

Sas C- 31/10/53

46831/mb 48557/mc
53-54

71

Amendments to the Excess Assessments Tax Act

---

151) The file is recommended for orders that the Bill may be taken up for consideration at the ensuing Budget Session 3 and A-A

Sec
27/2/54
Sec A

152) [signature] 28/2

Secy Dept)

153) for orders

[signature] 25/2

[signature] 25/2

Minister)

154) May be deferred for the present

Chief Minister)

[signature] 28/2/54

155) [signature] 2.01 [signature] 1/3

4354

Sec A 9/3/54

Sec 11/3 156) As desired. Bill to be taken up deferred for one week or four Sessions if appears desirable Min. Specific orders are obtained as to whether it is not the intention of the Govt to proceed

[signature] 4/3

[signature] 5/3

RECEIVED
22 FEB 1954
TREASURY DEPARTMENT

OFFICE OF THE MINISTER FOR PUBLIC HEALTH AND SELF GOVERNMENT
2 FEB
No 5595

4853 Ind 72

Amendments to the Negotiable Instruments Law Act

When this piece of legislation has its effect pending from a long course an appeal final disposal

2/4/82 In view of orders passed already the file may be recorded

2/4

B-8/4/82 C M 34-83-47

after file receiving 8/2/82

Serial No

Letter No J3 C 181/49-50 Dt 12-9-49 from the Dy Commr, Kolar Dt, requesting instructions in regard to the Collection of amusement tax of 4 Pies in respect of 3 annas denomination class tickets-

1) It is reported that on the intimation received from the Prabhat Talkies at Bangalore, the Manager of the Prabhat Talkies at Kolar is Collecting an entertainment tax of 4 Pies in respect of 3 annas denomination class tickets with effect from 1st Aug 1949

2) The Dy Commr Kolar Dt requests instructions in regard to the Collection of the tax from the other Talkies in the Dt

3) It is not clear under what authority the Prabhat Talkies at Bgloe issued instructions to their Manager at Kolar

4) The Dy Commr, Bloe will be requested to state whether he has issued any orders to the Prabhat Talkies at Bangalore to Collect the Tax in question

5) Submitted with a draft letter for appl

19/9

6) Done 19/9

To The Dy Commr, Bloe Dt (Urban)

No L 3668 Dt 27-9-49

Calls for some information

NOTE—Contn Sheet

A

30/9

File No 74 1955 ✓ 3190 2 of 19 | General and Revenue Secretariat

Serial No

Letter No A S C 181/49-50 Dt 1-11-49 from the Dy Comm, Kolar Dt requesting early orders on his reference re the levy of entertainment tax in respect of 3 annas denomination class tickets.

1) Information on the Point called for from the Dy Comm, Bangalore Dt has not been received / Submit with a draft reminder for approval

UKS 15/11 JN

2) Approved / resolved with the amendment passed at the last Legislature session of the Corporation Act

for 16/11/49

To

The Dy Comm, Blore Dt (Rural)

No L 5046 Dt 22-11-49

Requests that the information called for may be expedited

To the Dy Comm, Kolar Dt,

No L 5047 Dt 22-11-49

Forwards a copy of the above cited Dt addressed, this will be sent to the Legislation Branch for putting up a copy of the amendment referred to in Para 2 above

UKS 25/11 JN 26/11

Vide flag A pertg 21 put up fresh copies for reference in the Branch

for 28/11/49

Serial No

Letter No 1001/H/49-50 dt 22-11-49 from the Dy Comm Bangalore Dt (Urban) stating that an Amendment has been issued in Act No XLVIII of 49 cancelling the proviso to sub section (1) of Section 3 of the Mysore Amusement Tax Act 1932 etc

It is reported that the proviso exempting the levy of tax has since been cancelled & that as no notification has been issued by Govt fixing the rate of entertainment tax leviable on payments for admission less than four annas, the maximum rate of 4 pies as per existing notfn is levied on these tickets also and that instructions have also been issued accordingly to the Supdt of Police Bcrg and the Proprietors of theatres etc

It is understood that the file relating to the issue of a separate notfn in this behalf is with Janab Meccan

A | If approved this file will be transferred to him

Submitted for orders

30/11

30/11/49

This must have been dealt with in the detailed note portions in the main file and it has been submitted therein for orders that the present rate of levy of entertainment Tax should be modified as noted therein orders if any may be issued

14/12/49

This may be placed in the main file

14/12/49

NOTE—Contn Sheet

4683 4855

Promise made by Govt during the Adjourned Budget Session of the L A – July-August-53

98	Q No 249 dated 29th July 53 by Sri R Anantaraman 58 M(f) Home Pol	Bill to amend the Amusements Tax Act to enable the Corporation to levy and collect the said tax themselves	The Minister for Public Health and L S G said that Government would try to bring this Bill during the next session of the Assembly

AB 3/11

Dull

Sri MAS

The file which is ready for consideration before the L A was submitted for orders if it could be brought before the next Session. It has been ordered that this Bill may be deferred for the present. The file is also put up for reference –

Ca 11/11/53

For orders whether a reply may be given that the Bill has been deferred for the present

Secy 12/11/53

14/11

SECRETARIAT 16 NOV 1953 SECTION

Subject Statement laid on the table

"Yes

19/11

DEPARTMENT 19 NOV 1953

Statement is put up – May be sent to the Secy for sending a consolidated statement to the Clerk of the Legislature as required

Per Clerk to the Secy

23/11

Regd book

23/11/53

THE MYSORE AMUSEMENTS TAX (AMENDMENT) BILL, 1953.

A Bill further to amend the Mysore ~~Amendments~~ Amusements Tax Act, ~~1932~~ 1932.

Whereas it is expedient further to amend the Mysore Amusements Tax Act, 1932, (Mysore Act VIII of 1932);

It is hereby enacted as follows:-

1. Short Title. This Act may be called the Mysore Amusements Tax (Amendment) Act, 1953.

2 Amendment of section 2 of the Mysore Act VIII of 1932: After clause (4) of section 2 of the Mysore ~~XXXXXXXXXX~~ Amusements Tax Act 1932, (hereinafter referred to as the principal Act) the following clause shall be inserted, namely:

"(4a) 'Government' means the State Government

3 ~~Substitution of new section for section 12 of~~ Amendment of Mysore Act VIII of 1932:- In section 12 of the principal Act, sub-section (2) shall be numbered as sub-section (3) and for sub-section (1) the following sub-section shall be substituted, namely:

~~"12. Power to make rules:-~~ (1) The Government may make rules for securing the payment of the entertainment tax and generally for carrying into effect the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, it may make rules -

(a) for the supply and use of stamps or stamped or embossed tickets sent to be stamped or embossed, and for securing the defacement of stamps when used;

(b) for the use of tickets covering the admission of more than one person and the calculation of the tax thereon, and for the payment of the tax on the transfer from one part of a place of entertainment to another, and on

on payments for seats or other accommodation;

(e) for controlling the use of barriers or mechanical contrivances (including the prevention of the use of the same barrier or mechanical contrivance for payments of a different amount) and for securing proper records of admission by means of barriers or mechanical contrivances;

(d) for the checking of admission, the keeping of accounts and the furnishing of returns by the proprietors of entertainments to which the provisions of section 3, sub-section (3) are applied or in respect of which the arrangements approved by the Government for furnishing returns are made under section 4;

(e) for the renewal of damaged or spoiled stamps and for the procedure to be followed on applications for refund under this Act or under the rules made thereunder;

(f) for the keeping of accounts of all stamps used under this Act;

(g) for the presentation and disposal of applications for exemption from payment of the entertainments tax, or for the refund thereof, made under the provisions of this Act;

(h) for the collection of the entertainments tax under this Act and the powers to be exercised by the officers of the Government in that behalf and

(i) for the issue of passes by proprietors of entertainments for the admission of officers who have to perform any duty in connection therewith or any other duty imposed upon them by law."

4. Amendment of section 13 of Mysore Act VIII of 1912: In section 13 of the principal Act, for the words "to any person or to any authority" the words "to any local

local authority or to any person or authority " shall be substituted.

STATEMENT OF OBJECTS AND REASONS

At present out of the total revenue realised underunder the provisions of the Mysore Amusements Tax Act, 1932, within the jurisdiction of local authorities ~~XXX~~ 87½ per cent is handed over to the local authority concerned. The local authorities have represented that the revenue on this account is likely to increase if they exercise control over the administration and collection of the tax. It is therefore proposed to amend section 13 of the Act Opportunity has also been taken to amplify the provisions of section 12 on the lines of section 16 of the Madras Entertainments Tax Act, 1939.

(ii) is more than three rupees but is not more than five rupees,	One-fifth of such payment
(iii) is more than five rupees	One third of such payment

RATES IN CIVIL & MILITARY STATION are as follows -

When the payment excluding the amount of the tax -

(i) is more than 2 as but is less than 6 as	½ anna
(ii) is 6 as or more but is less than 12 as	One anna
(iii) is 12 as or more but is less than Rs 1/8/-	2 annas
(iv) is Rs 1/8/- or more but is less than Rs 2/8/-	4 annas
(v) is Rs2/8/- or more but is less than Rs 3/8/-	8 annas
(vi) is Rs 3/8/- or more but less than Rs 4/8/-	12 annas
(vii) is Rs 4/8/- or more but is less than Rs 6/8/-	One Rupee
(viii) is Rs 6/8/- or more but is less than Rs 9/8/-	Rs 1/8/-
(ix) is Rs 9/8/- or more but is less than Rs 10/-	Rs 2/-
(x) is Rs 10/- or more - for the first Rs 10/- and for every Rs 10/- or part of Rs 10/- over Rs 10/-	Rs 2/-

---

According to the rules framed under the Act it is the Deputy Commissioner of the District concerned who is to maintain the accounts in this behalf and it is this officer has to make the necessary arrangements for seeing that the evasion of payment of tax is prevented All returns etc relating to the levy have to be obtained from the Proprietc of Cinemas by the Deputy Commissioner concerned and checked in his Office

Though the lion's share of the income i e , 87½% of the total receipts in this behalf goes to the concerned Municipality, the Municipal Council has no power to check and supervise the collections It is also not known what procedure is followed by the Deputy Commissioners for checking the collection of this tax, and the actual agency employed in this behalf

In regard to the causes for the real leakage, the infc tion will have to be obtained from Deputy Commissioners may also be asked to furnish their remarks as to whether t Officers of the Municipality concerned may not also be aut

authorised to supervise the collection work in the concerned area

A suggestion has however been made that Section (3) of the Act may be so amended as to levy the amusement tax at the rate of 3 pies for 2 annas or part thereof on the ticket sold for admission into the place of entertainment This proposal means that the poor will be subject to this tax It is also seen that the proprietors of cinemas receive 4 annas for the last class ticket of which sum of 0-3-11 or 3-9-0 actually entered on the ticket This is done with a view to evade the payment of the stamp fee In such cases it has got to be provided that all payment of fee of 3 annas or 3½ annas should be deemed as four annas for the purpose of taxation to prevent fraud The question of revising the rates of levy as in Madras may also be considered

Having regard to the large number of cinemas opened in recent years in several parts of our State, ~~xxxxxxxx~~ the receipts under Entertainment tax remain almost the same during the last three years commencing from 45-46 with exception of a very slight variations of about 20 thousand and it should certainly be much more

This aspect may be brought to the notice of the Deputy Commissioners who may be requested to investigate the matter and submit a report within a week

7

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No C.17871-S/2 General and Revenue Secretariat

Dated Bangalore 18/6/ 1948

FROM

The Secretary to the Government of
His Highness the Maharaja of Mysore
Revenue Department

To

The District Magistrate,
District

SIR

In forwarding herewith a copy of letter No 734/B 11 dated 30th April 1948 received from the Comptroller to Government in regard to leakage of receipts under Entertainment tax, I am directed to request you to furnish your opinion on the following points within a week -

1) what is the present procedure adopted for checking the collection of the tax in your district and the agency employed in this behalf?

2) What are the real causes for leakage in this respect?

3) Whether the officers of the municipality concerned may not be authorised to supervise the collection work in their respective area in view of the fact that almost the whole of the income i e , 87½% of the total receipts in this behalf goes to the funds of the concerned Municipality?

4) In what manner can the present defects be removed?

The opinion of the concerned municipalities in your district as regards their officers being authorised to supervise and check the collection work in their respective jurisdiction may also be obtained and furnished in a consolidated form before 5th July 1948

I have the honor to be,
Sir,
Your most obedient servant,

Secretary to Government,
Revenue Department

7

No 4997/34 *Dated 29th June 1934*

MUNICIPAL OFFICE

NOTIFICATION

BYE LAW No 7 CHAPTER II ASSESSMENT AND COLLECTION TAX ON ENTERTAINMENT

It is hereby notified that the Municipal Commission for the Civil and Military Station Bangalore have made the following rules to regulate the grant of exemption from the payment of the Municipal Entertainment Tax The rules having been approved by the Hon ble the Resident in Mysore will come into force with effect from the 12th June 1934 —

Rules to regulate the grant of exemptions from the payment of the Municipal Entertainment Tax

1 Entertainments held in aid of the undermentioned institutions may be exempted from the payment of the Entertainment Tax —

(a) Residency Central Charities
(b) Ex Services Association Bangalore Branch
(c) Bonafide and recognised Charitable institution in the Civil and Military Station Bangalore
(d) Educational Exhibition and recognised educational
* (e) institutions

2 Concerts the proceeds of which are utilised for purely religious purposes may be exempted

3 The dances held in recognised clubs in the Civil and Military Station Bangalore not open to the members of the general public may be exempted from the payment of the tax

4 British and Indian soldiers in uniform attending sports tourna ments in the Civil and Military Station Bangalore organised by the Madras District Sports Committee may be exempted from the payment of the Municipal Entertainment Tax

5 The power of granting exemptions under rules 1 2 3 and 4 shall be exercised by the President

6 In case of refusal by the President the parties concerned may appeal to the commission after paying the amount of the tax due

7 No appeal shall be entertained unless the amount of the tax due has been paid previously

8 Applications for exemptions not covered by rules 1 2 3 and 4 shall be placed before the Commission

L J MACIVER
President Municipal Commission

(e) All Entertainments to which admission is restricted to Military Personnel whether in Uniform or not

Office of the President
City Municipal Council, Mysore
Dated 8th June 1948

From

P Sitaramiah Esq B.A B L
President, City Municipal Council
Mysore

To

Janab Syed Abdul Aleem, B A ,
Secretary to Government,
Revenue Department,
Bangalore

Sir

I have the honour to forward herewith the letter from the Commissioner Mysore City Municipality regarding levy of entertainment tax in Mysore City

I solicit the favour of very early orders of Government in the circumstances stated therein

I have the honour to be
Sir
Your most obedient servant

President I/C

C-3 P 157 WSD/PP

10

City Municipal Office

Mysore, Dated 194

FROM

N S HIRANNAYYA Esq M A
M cipal Comm on
MYSORE CITY

To

Janab Syed Abdul Aleem, B A ,
Secretary to Government,
Revenue Department,
Bangalore

Sir,

Subject - Levy of Entertainment tax in Mysore City

---

1) I have the honour to state that there has been considerable increase in the number of places of amusements in the City and the demand for further amenities to be provided to the public on this account has also increased This has caused considerable increase of expenditure on the Municipality to the detriment of other greater important items of work and the same is not compensated for by sufficient revenue from this item ~~of work~~ Thus while the Proprietors of the places of amusement enjoy not only the advantages created by the Municipality but also earn considerable amount, the Municipality gets a negligibly small income which is not even a fraction of what is spent for the proper upkeep of the surroundings and other measures for the preservation of public health and sanitation

2) According to the Mysore Amusement Tax Act and G O No L 7441-M1/275-32-13 dated 12/15-5-1933, at present, tax for amusement is levied by Government at a rate of 0-0-3 where payment for admission is 0-4-0 or more and is less than 0-8-0 and at 12½%, when the payment for admission is 0-8-0 or more In addition to this, a surcharge of 50% on this rate of entertainment tax fixed also is levied as per G O No L 8-157/M1 101-43-17 dated 8-2-1944

3) It has been the practice in Mysore City, that cinema people note the value of tickets as at 0-3-11 and 0-7-11 besides other denominations to evade the payment of higher taxes though they colle ticket taxes fees in round figures of 0-4-0, 0-8-0 etc It is also feared that stamps of the proper value are not being affixed to the tickets and defaced by tearing the tickets into portions across the

stamps and returning one portion of the ticket to the per to be admitted to the Entertainment and retaining the other half until the midday following etc This is resulting in loss of revenue to the Municipality The tax that is being realised is too disproportionate to the crowds that witness cinemas every day

4) The Council have therefore approved of the proposal placed before them to request Government to authorise the Municipal Commissioner or any officer authorised by him to enter into any place of entertainment while the entertainment is proceeding, to check the tickets and to authorise the Municipality to have the agency for supervision over the collection of the tax They have also resolved that Government be further requested to deduct only 6¼% on the net receipts excluding the commission allowed to stamp vendors etc , instead of 12½% as at present as the charges are rather excessive compared with the collection expenses This will give an increase of revenue to the Municipality by Rs 2,800/-

5) In enclosing the copy of the resolution as also the copy of the note, I request you kindly to obtain very early orders of Government in the matter

I have the honour to be,

Sir,

Your most obedient servant,

Municipal Commissioner

SNR

12

Proceedings of the Adjourned General Meeting of the Mysore City Municipal Council held on Friday the 7th May 1948, at 8-30 A M in the Municipal offices

---

886 Managing Committee Resolution No 315 dated 12-4-1948, recommending for approval the office note regarding the levy of entertainment tax in Mysore City

Approved

Sd P Sitharamiah,
President

Copy

Municipal Commissioner

snr

City Municipality,
Mysore, Dated 5th April, 1948

Office note

The question of income from Entertainment tax has been gone into

The Mysore Amusements tax Act has come into force in the Mysore City from 1st July 1933

Government in their order No L 7441/M1 276-32-13 dated 12/15-5-33 sanctioned the levy of Entertainment Tax at the following rates

(1) At the rate of 0-0-3 where the payment for admission is 0-4-0 or more but is less than 0-8-0

and (2) At 12½% when the payment for admission is 0-8-0, or more subject to the condition that in the determination of the amount of the tax on each payment for admission, fractions of ar anna less than 0-0-6 shall be disregarded and fractions of an anna not less than 0-0-6 shall be regarded as 0-1-0

Further Government have in their order No L 8-157/M1 101-43-17 dated 8-2-44 ordered the levy of surcharge of 50% on the rate of Entertainment tax fixed

Government in their order No L 2446-58/M1 308-32-13 dated 1-10-1934 directed that following procedure to be adopted for apportioning the tax ard making payments to the local bodies

xx xx xx

(3) After deducting a sum equal to 12½% of the net receipts i e , exclusive of the Commission allowed to stamp vendors to cover the items of expenditure such as cost of printing stamps, commission if any allowed to vendors of stamps and the refunds given, the Comptroller will arrange for the credit of the balance to the Local Body concerned

The following amounts were received towards apportionment of amusement tax from the introduction of this levy

For the year ~~1933-34~~		Total sum received to the Municipality at 87½%	Rate at 12½%	Rate at 6¼%
do	1933-34	4269/-	610	305
	1934-35	6742/-	963	481
	1935-36	1202-8-0	1743	871
	1936-37	1579-0-0	225	112
	1937-38	1643-4-0	235	117
	1938-39	4335-0-0	619	310
	1939-40	3023-0-0	432	216
	1940-41	4711-0-0	673	336
	1941-42	5218-0-0	745	372
	1942-43	5174-0-0	739	369
	1943-44	14828-0-0	2118	1059
	1944-45	29727-0-0	4247	2123
	1945-46	35760-0-0	5108	2554
	1946-47	38112-0-0	5445	2722

Checking and inspection are being done by the Police Department under the instructions of the District Magistrate and the Deputy Commissioner

Under Section 11 (1) of this Act an Officer authorised by the Government may enter any place of Entertainment for inspection while the entertainment is proceeding and any place ordinarily used as a place of entertainment

In Mysore City in almost all the cinemas, the cinema people are selling tickets of the following denominations and recovering excess amount from the public

Face value	Value of stamp affixed	Amount of ticket sold	Value of stamp to be affixed	Loss
0-3+11		0-4-0	0-0-4½	0-0-4½
0-7-11	0-0-4½	0-8-0	0-0-9	0-0-4½

The Proprietors of the several Cinema Theatres are not only recovering the excess from the public by not paying back one pie per ticket of the above denominations but also causing loss to Government revenue by not affixing proper value of stamps thereby they are gaining large amounts

(1) For the tickets of 0-4-0 = 0-0-4½+0-0-1=0-0-5½ per ticket
(2) do 0-8-0 = 0-0-4½+0-0-0=0-0-5½ do

And there is doubt whether proper value of stamps are being properly affixed and defaced after issue by tearing the ticket into partions across the stamp and returning one portion of the ticket to the person to be admitted to the entertainment and retaining the copy until midday following the close of the entertainment and then destroying it under Clause 13(4) of the Entertainment Tax Rules

The matter requires scrutiny by immediate surprise inspections

It is suggested as follows -

(1) That Government be requested to authorise the Municipal Commissioner or any officer authorised by him to enter any place of entertainment while the entertainment is proceeding and authorise the Municipality to have the agency for supervision ove the collection of the tax

(2) That Government be requested to deduct only 6¼% of the net receipts excluding commission allowed to stamp vendors to cover expenditure towards cost of printing stamps etc , instead o 12½% as at present There will be a net increase of revenue by about Rs 2,800/- per annum to the Municipality

This is suggested because very little expenditure is now being incurred in this behalf the Police Constables who go to preserve law and order being also entrusted with the work of supervision

This may be circulated among the Maraging Committee first and then among the Council as an urgent matter

Sd N S Hirannayya,
Municipal Commissioner

Copy

Municipal Commissioner

snr.

Civil and Military Station,
Municipal Office

510 Dated 4th July 1933

NOTIFICATION 15

In accordance with the sanction accorded by the Govt of India in their letter No D 222, dated the 24th March 33, to the levy of a tax on entertainment within the limits of the Civil and Military Station, Bangalore, under the provisions of Section 41 (1)(b) of the Bangalore Municipal Law, 1897, the Municipal Commission, at their special meeting held on the 20th June 33, under the provisions of Sections 44(7) and 44(8) of the said Law, have directed the imposition of the tax with effect from the 1st October 33, at the maximum rates proposed in their resolution No 4 dated the 30th September 1933 and details below -

When the payment excluding the amount of the tax -

(i)	is more than 2 as but is less than 6 as	½ anna
(ii)	is 6 as or more but is less than 12 as	One anna
(iii)	is 12 as or more but is less than Rs 1/8/-	2 annas
(iv)	is Rs 1/8/- or more but is less than Rs 2/8/-	4 annas
(v)	is Rs 2/8/- or more but is less than Rs 3/8/-	8 annas
(vi)	is Rs 3/8/- or more but less than Rs 4/8/-	12 annas
(vii)	is Rs 4/8/- or more but is less than Rs 6/8/-	One rupee
(viii)	is Rs 6/8/- or more but is less than Rs 9/8/-	Re 1-8-0
(ix)	is Rs 9/8/- or more but is less than Rs 10/-	Re 2-0-0
(x)	is Rs 10/- or more - for the first Rs 10/- and for every Rs 10/- or part of Rs 10/- over 10/-	2-0-0

30/8

MYSORE

Entrance Fees	Rate of Tax Rs
1 When the payment is more than annas 2/- but less than as.6/-.	0-0-4½ when payment is above 4/- annas
2. When the payment is annas 6/- but less than as.12/-	0-0-6 upto 8/- annas 0-1-6 to 0-2-3 from 8 to 12 annas at 18¾%
3 Annas 12/- or more but less than Rs 1-8-0	from 0-3-0 to 0-4-6
4 Rs 1-8-0 or more but less than 2-8-0	from 0-4-6 to 0-7-6
5 Rs 2-8-0 or more but less than 3-8-0	from 0-7-6 to 0-10-6
6 Rs 3-8-0 but less than Rs 4-8-0	from 0-10-6 to 0-13-0
7 Rs 4-8-0 but less than Rs 6-8-0	from 0-13-0 to 1-3-6
8 Rs 6-8-0 but less than Rs 9-8-0	from 0-3-6 to 1-12-6.
9 Rs 9-8-0 but less than Rs 10/-	from 1-12-6 to 1-14-0
10 Rs 10/- or more	18¾% of the entrance fee

MADRAS

Where such payment (inclusive of the amount of the tax)-

(i) is not more than five annas,	One-fifth of such payment
(ii) is more than five annas but is not more than one rupee eight annas,	One-fourth of such payment
(iii) is more than one rupee eight annas	One-third of such payment

Provided that in the case of cinematograph exhibitions, the tax shall be calculated at the rates specified above on each payment for admission, after excluding from such payment the amount of the tax:

Provided further that in the case of dramatic and music performances, Indian dances and exhibitions of works of art, manufactures, agricultural products or other articles, or any other exhibitions specified by the Provincial Government by general or special order, the entertainments tax shall be paid on each payment for admission to the entertainment at the following rates, ~~xxx~~ namely

Where such payment (inclusive of the amount of tax)-

(a) is not more than three rupees	One-eighth of such payment

Note Regarding Entertainment Tax

Regulation No VIII of 1932 relating to the tax on Entertainment and other amusements was promulgamated in December 1932 It was brought into force under Section 1(3) of the Act with effect from 1st July 1933 in the Towns of Kolar, Tumkur, Hassan, Chickmagalur, Chitaldrug, Davangere and Shimoga and the Kolar Gold Field area It has been subsequently extended to the Towns of Chickballapur, Mandya, Tharikere, Kadur, Ajjampur, Birur and Nagadi from time to time

According to the provisions in the Statute, the rate of Tax shall not exceed 25 per cent on all payments for admission to any entertainment, subject to the condition that the tax shall not be leviable where payment of admission is less than four annas According to the Notification issued in the year 19_3, the rate of levy of the tax was fixed as follows:-

1) At the rate of 3 pies where the payment for admission is four annas or more and less than eight annas
2) 12½% where payment for entertainment is 8 annas or more.

Subsequently in the year 1944, a surcharge on these rates has been levied as an emergency measure to the extent of 33-1/3% in the case of item No.(1) and of 50% in the case of item No.(2) referred to above.

In view of the imposition of surcharge as above, comparative rates of entertainment tax in the case of item No 1 is 16 2/3% and of the latter case works out to 18¾ % on the entrance fee.

The rates in force at present in Mysore and those sanctioned recently in Madras are given below -

(ii)	is more than three rupees but is not more than five rupees,	One-fifth of such payment
(iii)	is more than five rupees	One third of such payment

RATES IN CIVIL & MILITARY STATION are as follows -

When the payment excluding the amount of the tax -

(i)	is more than 2 as but is less than 6 as	½ anna
(ii)	is 6 as or more but is less than 12 as	One anna
(iii)	is 12 as or more but is less than Rs 1/8/-	2 annas
(iv)	is Rs 1/8/- or more but is less than Rs 2/8/-	4 annas
(v)	is Rs2/8/- or more but is less than Rs 3/8/-	8 annas
(vi)	is Rs 3/8/- or more but less than Rs 4/8/-	12 annas
(vii)	is Rs 4/8/- or more but is less than Rs 6/8/-	One Rupee
(viii)	is Rs 6/8/- or more but is less than Rs 9/8/-	Rs 1/8/-
(ix)	is Rs 9/8/- or more but is less than Rs 10/-	Rs 2/-
(x)	is Rs 10/- or more - for the first Rs 10/- and for every Rs 10/- or part of Rs 10/- over Rs 10/-	Rs 2/-

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According to the rules framed under the Act, it is the Deputy Commissioner of the District concerned who is to maintain the accounts in this behalf and it is this officer who has to make the necessary arrangements for seeing that the evation of payment of tax is prevented All returns etc relating to the levy have to be obtained from the Proprietors of Cenemas by the Deputy Commissioner concerned and check in his Office

Though the lion's share of the income i e , 87½% of t total receipts in this behalf goes to the concerned Municipality, the Municipal Council has no power to check and supervise the collections It is also not known what procedure is followed by the Deputy Commissioners for checking the collection of this tax, and the actual agency employed in this behalf

In regard to the causes for the real leakage, the information will have to be obtained from Deputy Commissioners may also be asked to furnish their remarks as to whether Officers of the Municipality concerned may not also be aut

authorised to supervise the collection work in the concerned area.

A suggestion has however been made that Section (3) of the Act may be so amended as to levy the amusement tax at the rate of 3 pies for 2 annas or part thereof on the ticket sold for admission into the place of entertainment This proposal means that the poor will be subject to this tax It is also seen that the proprietors of cinemas receive 4 annas for the last class ticket of which sum of 0-3-11 or 3-9-0 actually entered on the ticket This is done with a view to evade the payment of the stamp fee In such cases it has got to be provided that all payment of fee of 3 annas or 3½ annas should be deemed as four annas for the purpose of taxation to prevent fraud The question of revising the rates of levy as in Madras may also be considered

Having regard to the large number of cinemas opened in recent years in several parts of our State, ~~xxxxxxx~~ the receipts under entertainment tax remain almost the same during the last three years commencing from 45-46 with exception for a very slight variations of about 20 thousand and it should certainly be much more

This aspect may be brought to the notice of the Deputy Commissioners who may be requested to investigate the matter and submit a report within a week

Through offs

L 18139 subject 2/6/48

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form*)

To, Entertainment Tax in the rural stations

Levy of

President,

Municipal Commissioner

Bangalore

Sir, and to refer

I am directed

your letter No A 2-2164/47 dt 1-9-47 on the above subject

to request you to furnish information on the following points at an early date -

1) What is the procedure adopted for checking the collection of the Entertainment Tax in the rural area, Bangalore ?

2) Whether the local municipal commissioner or the officers of the Municipality or its officer have any power

WD 03697—GPB—30 000—2 2 46

to supervise the collection
work of the tax in this
area.

A detailed note as
to how the provisions of the
Entertainment Tax ~~Proposed~~ Rules
in the coal station are being
worked out may also
be kindly sent.

I have Etc.,

for Secy to Govt
Per Dept

Pr
21 6 47 --

22

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L 18139 **General and Revenue Secretariat**

Dated Bangalore 25-6-1948

FROM

The ~~Chief~~ Secretary to the Government of His Highness the Maharaja of Mysore
Revenue Department

To

The President,
Municipal Commission,
Civil Station, Bangalore

SIR

SUBJECT Entertainment tax in the Civil Station - levy of -

I am directed to refer to your letter No A2-2164/47 dated 1st September 1947 on the above subject, ~~I am directed~~ to request you to furnish information or the following points ~~at~~ an early date -

1) what is the procedure adopted for checking the collection of the entertainment tax in the civil area, Bangalore,

2) whether the local municipal commission or its officers have any power to supervise the collection work of the tax in this area?

A detailed note as to how the provisions of the Entertainment Tax Rules in the Civil Station are being worked may also be kindly sent

I have the honor to be,
Sir,
Your most obedient servant,

G/C

~~I~~ Revenue Secretary to Government

Mc 545

No. A 2-2164/47 23 Office of the Municipal Commission,
Civil Station, Bangalore.
dated July 1948.

From The President, Municipal Commission,
Civil Station, Bangalore.

To The Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue Department, Bangalore.

Sir,

Subject - Entertainment tax in the Civil Station - Levy of
Ref - Your letter No L.18139 dated the 25th June 1948

With reference to your letter cited above, I have the honour to forward herewith a note covering the points raised therein together with a copy of the entertainment tax rules. A copy of the rules relating to exemption from entertainment tax is also enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

PRESIDENT, M C

FCM/15-7-48

Note on the procedure adopted for checking the collection of the Entertainment Tax in the Civil Station.

The Miscellaneous Tax Inspector of the Municipality is responsible for the entertainment tax collections The proprietors of the Cinemas furnish weekly returns and make weekly payment of the tax in accordance with rule (3) of the entertainment tax rules and in the form prescribed in rule 14. These returns are prepared by the managers of the Cinemas in triplicate, of which, one is retained by them, one goes to the Film Company, and the third is sent to the Municipal Office This system is working very satisfactorily The Miscellaneous Tax Inspector makes surprise visits to these cinemas in connection with checking of the collections. To assist him the clerks of the Revenue Department and Secretary's Office are deputed out of office hours by turns.

In the case of stray entertainments like dances, music, matches, etc , where the organisers are bound to purchase entertainment stamps and get them affixed to tickets under rule 7(1)(a), the Tax Inspector attends these entertainments and checks whether the stamps have been affixed to the tickets or not. The organisers of such entertainments furnish statements of accounts after each entertainment in accordance with rule (3). These are checked and verified with the number of stamps purchased In certain cases of entertainments where the organisers are well-known persons of the Station, affixing stamps is not insisted upon and the President allows them to make adequate deposits in lieu of purchasing stamps.

PRESIDENT, M C.

FCM.

19/7/44

25

Civil and Military Station Bangalore Municipal Office

NOTIFICATION

No 956/34 dated 2nd February 1934

In exercise of the powers conferred upon them by Section 137 (1) (n) of the Bangalore Municipal Law 1897 the Municipal Commission for the Civil and Military Station Bangalore approved of a new bye-law as Bye law No 7 Chapter II Assessment and Collection Tax on Entertainments in regard to the collection of the tax on entertainments The bye law has been confirmed by the Hon ble the Resident as required by Section 139 of the Bangalore Municipal Law to come into force with effect from the 15th October 1933 and is hereby published for general information

NEW BYE LAW NO 7 CHAPTER II

Rules for compounding the tax payable in respect of entertainments for a consolidated payment

1 On the application of the proprietor of any entertainment or of any person responsible for the management thereof the Commission may compound the tax payable in respect of such entertainment for a consolidated payment

2 The proprietor or any person responsible for the management of an entertainment who has been allowed to make a consolidated payment of the entertainments tax under Rule (1) shall not issue or cause or permit to be issued any ticket being a ticket authorising any person to be admitted on payment to the entertainment unless the price of admission including the tax and a statement that the tax is so included are legibly printed stamped or otherwise marked on such ticket

3 Any such proprietor or person responsible for the management shall within seven days from the date of an entertainment furnish to the President a return showing (separately for each class of payments) the gross sum received by him on account of payments for admission to the enteitainment

4. The proprietor or the person responsible for the management shall also forward to the President a return showing the number and classes of season tickets issued the period for which such tickets are available and gross sum realized thereby at such time as the President may fix

5 When the proprietor or the person responsible for the management thereof has given security to the satisfaction of the President for the proper and regular payment of the entertainment tax he shall pay the amount of the tax due to the Municipal Commission at such time and in such manner as the President may fix

Rules for entertainments not compounded for a consolidated payment

6 The proprietor or the person responsible for the management shall not issue or cause or permit to be issued any ticket being a ticket authorizing any person to be admitted to an entertainment unless the price of admission exclusive of the entertainments tax and a statement that the price excludes the entertainments tax are legibly printed stamped or otherwise marked on the tickets

7 (1) No person shall be admitted for payment to any entertainment except—

(a) with a ticket stamped with an embossed or adhesive stamp (not previously used) issued by the Municipal Commission and indicating the proper fee for such ticket or

(b) in special cases with the approval of the President through a barrier which or by means of a mechanical contrivance which automatically registers the number of persons admitted

Unless the proprietor of the entertainment or the person responsible for the management thereof has made arrangements approved by the President for furnishing returns of the payments for admission to the entertainment and has given security approved by the President for the payment of the entertainments tax

(2) Nothing in sub section (1) shall be deemed to preclude the Municipal Commission from requiring security from the proprietor of an entertainment or the person responsible for the management thereof for the payment of the entertainments tax in any other case

8 The proprietor or the person responsible for the management shall not issue or cause or permit to be issued to any person any stamp referred to in clause (a) of Rule 7 (1) otherwise than securely affixed to a ticket issued for the purpose of authorizing admission to the entertainment

9 The proprietor or the person responsible for the management shall not on any payment for admission to the entertainment being made issue or cause or permit to be issued in respect of that payment any ticket authorizing admission to the entertainment other than a ticket to which is affixed a stamp d noting the proper amount of entertainments tax chargeable in respect of that payment.

10 (1) Save as provided by these rules no stamp affixed to a ticket denoting the proper entertainments tax payable in respect thereof shall be defaced cut torn or diminished before the ticket to which it is so affixed is issued and the proprietor or the person responsible for the management shall not admit or cause or permit to be admitted any person to the entertainment by virtue of a ticket bearing a stamp which has been defaced, cut torn or diminished

(2) No person being holder of a ticket to which a stamp is affixed, issued for the purpose of authorizing admission to an entertainment shall deface cut tear or diminish the stamp or cause or permit it to be defaced cut torn or diminished

(3) The proprietor or the person responsible for the management shall collect tickets of all persons about to be admitted to the entertainment and every person about to be admitted by means of a stamped ticket shall immediately before admission to the entertainment deliver the ticket with the stamp affixed to the person who is collecting the tickets

(4) When a ticket is so collected the proprietor or the person responsible for the management shall forthwith deface the stamp on the ticket by tearing the ticket into two portions across the stamp and shall return one portion of the ticket to the person to be admitted to the entertainment and shall retain and keep until midday following the conclusion of the entertainment the other portion thereof and shall then destroy it

11 (1) When any ticket purporting or intended to authorize the admission to the entertainment of more than one person is issued the ticket shall be clearly marked with the number of persons so authorized to be admitted and the total price charged for the ticket and the proprietor or the person responsible for the management shall not admit or cause or permit to be admitted to the entertainment by virtue of that ticket a greater number of persons than that marked on the ticket

(2) For the purpose of calculating the entertainments tax chargeable in such a case there shall be deemed to be as many payments for admission as there are persons authorized to be admitted under the ticket and each of these payments shall be deemed to be equal in amount to the total price charged for the ticket divided by the total number of persons so authorized

For the purpose of this rule two children under 12 years of age each shall be considered to be equivalent to one person

12 (1) Where the duty is calculat d on a lump sum paid for a season ticket or for a ticket authorizing admission to any entertainment during a certain period of time the ticket shall before being issued be marked with the name of the person to whom it is to be issued

(2) Before any such season or other ticket is issued a stamp denoting the proper amount of entertainments tax chargeable thereon shall be affixed thereto and the proprietor or the person responsible for the management shall

deface the stamp or cause to be defaced by writing in ink on the face thereof the date of issue of the ticket and any stamp so defaced shall not be required to be defaced again at the time of admission to the entertainment in the manner prescribed in sub rule (4) of Rule 10

13 The proprietor or the person responsible for the management shall not admit or cause or permit to be admitted any person to the entertainment without payment unless the person is the holder of a ticket or document entitling him to be admitted without payment and clearly marked 'complimentary or free or of a badge recognized by the proprietor or the person responsible for the management as entitling the holder thereof so to be admitted No person shall obtain admission to an entertainment unless he is the holder of such ticket document or badge

14 The President may for the protection of the Revenue require a proprietor or the person responsible for the management to keep registers of payment for admission and records of stamps denoting the entertainments tax purchased and used in the forms annexed hereto and to issue tickets in such form and manner as he may prescribe and it shall be the duty of the proprietor or the person responsible for the management to comply with such requirements

15 (1) The proprietor or the person responsible for the management shall at all reasonable times on demand by any officer of the Municipal Commission authorized by the President in this behalf produce or cause to be produced to that officer all books and records kept by the proprietor or the person responsible for the management in connection with any entertainments and all tickets and all portions of tickets and all stamps for the time being in his possession and shall allow the officer to inspect and take an account of the same or to remove the same for the purpose of examination or inquiry

(2) A person who has been admitted to an entertainment shall upon the demand made by any officer of the Municipal Commission authorized by the President in this behalf during the course of or immediately before or after the entertainment produce to such officer the ticket badge or documents by virtue of which he was admitted or the portion of a ticket bearing a stamp defaced in accordance with sub rule (4) of Rule 10 by virtue of which ticket he was admitted

GENERAL PROVISIONS

16 (1) The entertainments tax shall be charged in respect of each person admitted for payment and in the case of admission by stamped ticket shall be paid by means of the stamp on the ticket and in the case of admission otherwise than by stamped ticket shall be calculated and paid on the number of admission

(2) When the payment for admission to an entertainment is made by means of a lump sum paid at a subscription or contribution to any society or for a season ticket or for the right of admission to a series of entertainments or to any entertainment during a certain period of time the entertainments tax shall be paid on the amount of the lump sum

17 If any person is admitted for payment to any place of entertainment and the provisions of Rule 6 are not complied with the proprietor of the entertainment or the person responsible for the management thereof to which such person is admitted shall on conviction by a Magistrate be liable in respect of each such offence to a fine not exceeding Rs 50 and shall in addition be liable to pay any tax which should have been paid

17 A When the proprietor or the person responsible for the management of an entertainment has neither compounded for the tax payable nor made any other arrangements for the payment of the tax the President may assess the tax on such estimate of the realisation from the entertainment as he may deem reasonable

Notification No 641/36 dated 28th April 1936

18 (1) The Municipal Commission may with the approval of the Re ident by a general order exempt any class of entertainment from liability of entertainments tax and may by special order exempt any particular entertainment from liability to the tax

(2) Any special orders of exemption shall be subject to revision by the Hon ble the Resident

19 (1) Any amount due on account of the entertainments tax may be recovered in the same manner as any sums due to the Municipal Commission

(2) Any fine imposed under these bye laws shall be recovered in the manner provided in the Code of Criminal Procedure for the recovery of fines and shall on recovery be paid to the Municipal Commission to be applied for its general purposes

20 (1) The President or any officer of the Municipal Commission authorized by him for the purpose may enter any place of entertainment while the entertainment is proceeding and any place ordinarily used as a place of entertainment at any reasonable time with a view to seeing whether these bye laws are being complied with

(2) Every officer authorized under this rule shall be deemed to be a public servant within the meaning of Section 21 of the Indian Penal Code

21 The President may not inconsistent with these bye laws prescribe such forms and may make such rules as he may deem necessary for carrying out the purpose of these bye laws

22 Whoever commits a breach of any of the above bye laws shall be punishable with fine which may extend to fifty rupees

ANNEXURE

FORM I —(See Rule 14)

Theatre
Cinema

Register of Entertainments Tax stamps — Donation of stamp

Date	Number of stamps received	Number of stamps issued	Balance in hand	Remarks
1	2	3	4	5

FORM II —(See Rule 14)

Theatre
Cinema

Statement of tickets sold

Performance — Date

Price of admission	Serial number of tickets issued	Number of tickets sold	Number of complimentary or free ticket issued	Amount received on account of tickets sold	Amount of the entertainments tax	Remarks
1	2	3	4	5	6	7
Total						

(Signed)

G H COOKE
President M C

534—3 9 1946—100—RPB

No 4997/34 *Dated 29th June 1934*

MUNICIPAL OFFICE

NOTIFICATION

BYE LAW No 7 CHAPTER II ASSESSMENT AND COLLECTION TAX ON ENTERTAINMENT

It is hereby notified that the Municipal Commission for the Civil and Military Station Bangalore have made the following rules to regulate the grant of exemptions from the payment of the Municipal Entertainment Tax The rules having been approved by the Hon ble the Resident in Mysore will come into force with effect from the 12th June 1934 —

Rules to regulate the grant of exemptions from the payment of the Municipal Entertainment Tax

1 Entertainments held in aid of the undermentioned institutions may be exempted from the payment of the Entertainment Tax —
   (a) Residency Central Charities
   (b) Ex Services Association Bangalore Branch
   (c) Bonafide and recognised Charitable institution in the Civil and Military Station Bangalore
   (d) Educational Exhibition and recognised educational institutions

2 Concerts the proceeds of which are utilised for purely religious purposes may be exempted

3 The dances held in recognised clubs in the Civil and Military Station Bangalore not open to the members of the general public may be exempted from the payment of the tax

4 British and Indian soldiers in uniform attending sports tournaments in the Civil and Military Station Bangalore organised by the Madras District Sports Committee may be exempted from the payment of the Municipal Entertainment Tax

5 The power of granting exemptions under rules 1 2 3 and 4 shall be exercised by the President

6 In case of refusal by the President the parties concerned may appeal to the commission after paying the amount of the tax due

7 No appeal shall be entertained unless the amount of the tax due has been paid previously

8 Applications for exemptions not covered by rules 1 2 3 and 4 shall be placed before the Commission

L J MACIVER
President Municipal Commission

Copy

To, L 1152-8
4848 HQ copy 29
The Secy of Customs

Sir,

I am directed to invite
reference to the office letter
No L 17811-9 dt 18-6-48 calling
for certain information
in regard to the collection
of Entertainment Tax
and to request that there utility may be
immediate
Reminder
as the matter is urgent
When a reply may be
expected to be received
here

I have the
honour
to be
Sir
Your
obedient
servant

P T O

to dispense the collecte

work

as

-2

Ec

II Offs L. 1159·60 30
CP & Offs

To, The Rt Comm of Mysore
The Rt Comm of Bagdad

Sir,

I am desired to write refer
to this office memo No L/17 8 20-
of 18-6-48 forwarding a copy
of letter of 18-6-48 addressed
to the Dc's unregd to the
collection of the Entertainment
Tax and to request you to
furnish the fractional ans
called for there in without
any delay immediately, as the
matter is urgent

I have etc

For Secy to Govt

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat,

No L 1159-60 *Dated, Bangalore* 4 August *194* 8.

FROM

The *Secretary to the Government of*
His Highness the Maharaja of Mysore
Revenue Department.

To

The Municipal Commissioner,

Sir,

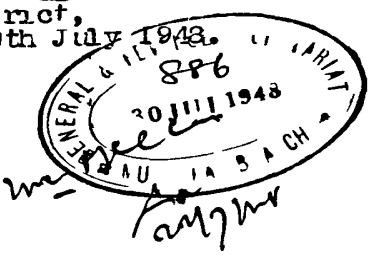
I am directed to invite reference to this office memo No L.17-820-1 dated 18th June 1948 forwarding a copy of letter dated 18th June 1948 addressed to the Deputy Commissioners in regard to the collection of the Entertainment Tax and to request you to furnish the particulars called for therein immediately, as the matter is urgent.

I have the honour to be,
Sir,
Your most obedient servant,

Secretary to Government
Revenue Department.

32

Office of the District Magistrate,
No J2 P R C 5444/47-48 Chikmagalur District,
4544/47 Dated, Chikmagalur, 20th July 1948.



To

The Secretary
to Government of Mysore,
Revenue Department, Bangalore.

Sir,

Subject - Collection of entertainment tax under proper supervision.

Adverting to your letter No L 17811-9/E dated 18-6-48 calling for my opinion and the views of the Presidents of the Municipalities in this District on the above subject, I have the honour to state as follows -

1) As regards the existing procedure of checking the collection of taxes, I am to state that the local police are checking the collections every day with reference to the accounts maintained by the Proprietors of the Theatres A daily statement of Taxes collected is being furnished to the District Superintendent of Police by the concerned Proprietors and the same is being scrutinised

2) So far as the District is concerned, I may state that there is no room for leakage of revenue under this head under the procedure in vogue

3) The Presidents of Tarikere and Birur Municipalities are of opinion that the supervision over the collection of taxes may be entrusted to their Sanitary Inspectors This reported by the President, Chikmagalur Municipality, that the Council have resolved that the President or the Officers authorised by him may be entrusted with the work of supervision over the collection of Entertainment Taxes The District Superintendent who was also consulted in the matter, opines that in addition to the supervision now exercised by the Police, the local municipal authorities may also be authorized to exercise - supervision in this behalf He has further stated that a similar statement of collection of taxes as is being sent now to him, may also be sent simultaneously to the Municipal - Offices concerned for their scrutiny and that the Presidents

concerned

concerned may be authorised to prosecute under Section 11 of the Entertainment Tax Regulation of 1932 for any laches on the part of the Proprietors in this behalf

In the circumstances stated above, I agree with the views furnished by the District Superintendent of Police

I have the honour to be,
Sir,
Your most obedient servant,

For District Magistrate,
Chikmagalur District
(Absent from Head-quarters)

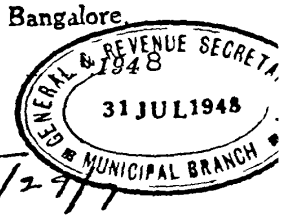
I.MB

ML931

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE 36

Comptroller's Office Bangalore

No 47/B II Dated 23rd July 1948



417
FL 1/29/47

The Secretary to the Government of Mysore,
Financial Department, Bangalore

Sir,

I have the honour to invite your kind reference to this office letter No 734/B II dated 30-4-1948 regarding the leakage of receipts under Entertainment Tax and to request you to kindly communicate orders of Government on the proposals made therein

I have the honour to be
Sir,
Your most obedient servant,

Comptroller

RR)

35

No 13 C 28-9/43-44 Office of the Deputy Commissioner,
Shimoga District,
Dated, Shimoga, July 48

To

The Secretary to Government,
Revenue Department,
BANGALORE

UP SECRETARY
GENERAL & REVENUE SECRETARIAT
3 AUG 1948
1033
MUNICIPAL BRANCH

Sir,

With reference to your letter No L 17811-9 dated 18-6-48 regarding the procedure for the checking of the receipts under Entertainment Tax, I have the honour to state that in this District the revenue under the Entertainment Tax is derived by the sale of the Entertainment Tax stamps, and not by the credit of cash based on the number of persons who attend the shows At present, the Officers of the Police Department check whether the tickets issued bear the requisite stamps the cause for the leakage of the revenue is ascertained to be the lack of effective supervision In view of the fact that it is the Municipal bodies that are benefitted to the extent of 87½% of the receipts there appears to be no objection to entrust the work of supervision over the collection of the tax to the concerned Municipalities The Comptroller to Government may be requested to lay down a uniform procedure for the checking and accounting of the receipts by the Municipalities

The opinion of the Municipalities as regards their Officers being authorised to supervise and check the collection work in their respective jurisdiction will be obtained as called for and will be forwarded to Government on receipt from the Municipalities concerned

I have the honour to be,
Sir,
Your most obedient servant,

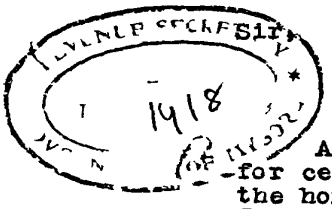
For Deputy Commissioner,
Shimoga District
(Absent from Head Quarters)

36 ML1345

No J3 C 1608/47-48 Office of the Deputy Commissioner, Kolar D
Dated, Kolar the 11th Aug '48

To

The Secretary to Government,
Revenue Department
Bangalore



Sir,

Leakage of receipts under Entertainment-tax

Adverting to your letter No L 17811-9 dated 18-6-48 calling for certain information on the subject mentioned above, I have the honour to state that the required information called for from the Vice President, Sanitary Board, K G F , the District Superintendent of Police, Kolar and the Special Superintendent of Police, K G F has not been received yet

They have again been reminded to submit the particulars immediately

On receipt of reports from them, the information called for will be furnished

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Kolar Distt
absent from HQ

37 Ml 1381

BANGALORE CITY MUNICIPALITY

GENERAL & REVENUE SECRETARIAT
17 AUG 1948
MUNICIPAL BRANCH

No A1 353/47-48

MUNICIPAL OFFICES
BANGALORE CITY

Encl

Dated 11th August 1948

FROM

A S Khaleel, Esq , B A , B L ,
~~S K D A S H I~~ Esq B A
MUNICIPAL COMMISSIONER
BANGALORE CITY

mr Naeem
17/8/48

To

Syed Abdul Aleem, Esq , B A ,
Secretary to the Government of Mysore,
Revenue Department, Bangalore

SIR

1218

Subject - Entertainment Tax

With reference to your letter No L 1159-60/dated 4-8-1948 re the above subject, I have the honour to state that the subject is placed before the Managing Committee and their decision will be placed before the Council for needful The resolution of the latter will be intimated in due course

I have the honour to be,
Sir,
Your most obedient servant,

Municipal Commissioner

hsr/-

Ml 1646 38

GENERAL & REVENUE SECRETARIAT
21 AUG 1948
GENERAL BRANCH

No J1 C 3128/47-48 Office of the Deputy Commissioner,
Chitaldrug, dated, 23rd August 1948

To
Janab Syed Abdul Aleem, B A ,
Secretary to the Government of Mysore, Revenue Department,
Bangalore
===

GENERAL & REVENUE SECRETARIAT
26 AUG 1948
1646
A BRANCH

Sir,

With reference to your letter No L 17811-C dated 19th June 1948 calling for certain information in regard to the collection of Entertainment tax, I have the honour to state that the report called for from the President, Town Unicipal Council, Chitaldrug has not been received from him inspite of issue of four reminders He has again been reminded today to expedite the submission of his report On receipt of the same, a final report will be forwarded to Government as called for

I have the honour to be,
Sir,
Your most obedient Servant,

Deputy Commissioner, Chit Dist

ML 1678 39

No. MS C 48-9/48-49
Enc letters

Office of the Deputy Commissioner
Shillong District
Dated Shillong the 24th August 1948

To

The Secretary to Government
Revenue Department
SHILLONG

Sir

In continuation of this office letter No MS C 48-9/48-49 dated 31-7-48 tendering opinion regarding check of the accounts under Entertainment Grant I have the honour to forward herewith the copies of the letters received from the Peshkar of Shillong and Sadar on the subject. The are also in favour of the proposal made here.

I have the honour to be
Sir
Your most obedient servant

Deputy Commissioner
Shillong District

Lette l o C5-13/ /-/9 cate(5t1 Au u-t 19/3 fro the Presicent orn Mu'icipal Council Sirne n to the Deput Co ..s oner S .t o n Distri-

Refer.in to oui letter No 13 C 28-9/73-/7 cate(31-7-/3 acciesse(to the Secretar to Co ern ent Re enue Department Ban lore re_ine oi m opinion in the matter of entrustin the po1 of collection o ci the collect on of enterta nment tax in the municipal area to the Municipal Council concerne I ha e the honour to state that the opinion you have furnished in oui letter under re e ence is quite capable a in the mik in entrusted to the local municipal Council there would be improvement in collection in view o the fact that the Municipality ete a major portion of the collections

I concur with oui valuable opinion that the po1 of the collection o ci collection of Entertainment tax may be entrusted to the municipalit concerned

Co1

Deputy Commissioner
Shimoga District

Letter No. M.C. 13/17-78 dated 7th August 1978 from the President, Town Municipal Council, Segra, to the Deputy Commissioner, Shillong District, Shillong.

With reference to our letter No. M.C. 28-9/73-77 dated 31-7-78 regarding copy of our letter addressed to the Secretary to Government, Revenue Department on the matter of supervision over the collection of Entertainment tax etc. I have the honour to state that the following Officers of the various Municipalities may be authorised to exercise in the tickets issued bearing the requisite stamps to the amount on responsible levies in the revenue under Entertainment Tax.

Presidents, Vice-Presidents, Chief Officers	In Municipalities where there are Chief Officers
Presidents, Vice-Presidents, Health Inspectors	In Municipalities where Chief Officers are not appointed

The supervision by these Officers is calculated to be effective. It is given to local officials of the Municipalities there is every likelihood of the opportunity being misused. Submission of monthly returns of the stamps used, the arrangement of the places of entertainment to the full capacity hereof jurisdiction should also be insisted to attend alone to the functionaries and to effectively supervise the collection all in revenue is seen without interruptions.

The above procedure in my opinion quite practicable to ensure an effective supervision to avoid any short levies of revenue

p t o

R reveme

41

"Cor "

Dept Commissioner,
Shimo[illegible] District

OFFICE OF THE DEPUTY COMMISSIONER,
HASSAN DISTRICT,
DATED, HASSAN THE 25TH AUGUST, 1948

No L Dis A1-C 352/48-49
Encl, Two

GENERAL & REVENUE SECRETARIAT
1712
30 AUG 1948
MUNICIPAL BRANCH

From

The Deputy Commissioner,
Hassan District

To

The Secretary to Government,
Revenue Department,
Bangalore

Sir,

Subject Re the leakage of receipts under Entertainment Taxes

With reference to your letter No L 17811-9 E dated the 18th June 1948, forwarding for my opinion a copy of Comptroller's letter No 734/B-ii dated the 30th April 1948 in the above matter, I have the honour to state as follows -

2 As regards the procedure adopted for checking the collection of this tax in this District, I write to state that in the first instance, the Mysore Amusement Act came into force in the Hassan Town only in this District as per Government Notification No L 6904-M1 275-32-8 dated the 27th April 1933, with effect from 1st July 1933 There is only one permanent cinema Theatre at Hassan called the "Imperial Talkies", besides there being a few amusements of temporary nature during the Hassan Cattle Show Season, and long intervals very rarely

(i) The Manager of the said Imperial Talkies is required to maintain two registers in forms I and II prescribed under Rule 19 of the Rules under the Act showing (1) stamps purchased and (2) tickets sold respectively

(ii) The tickets of different denominations are printed in duplicate (jointly) with perforation at the joints of the original and the duplicate

(iii) Entertainment tax stamps are affixed on the back of the duplicate tickets so as to allow the stamps being cut into two halves, the half showing the value of the stamp coming on the original ticket

(iv) The Manager is required to send the original or counterfoil of the tickets bearing the cut stamps showing the value of the stamps only the taxable tickets are obtained

(v) A return in duplicate for the day of performance of the amusement with the counterfoil tickets is furnished to this office every working day during office hours

(vi) A register is maintained in this office showing the date and name of amusements, no of taxable tickets sold, the tax due, the tax paid in stamps and the deficit if any

(vii) On receipt of the return with the counterfoil tickets, in this office the next day, the Revenue Head Accountant of my office or one of his assistants checks them The commencing ticket No of a day is verified with the last number of the previous day's issue shown in the original copy of the return to see that the serial numbers of the tickets are continued and no fraud is made The tickets which do not bear stamps or adequate stamps will be marked and charged off

(viii) The result of the verification will be communicated to the Manager in writing on both the original and duplicate return The duplicate showing the deficiency if any will thus be communicated to the Manager from day to day

(ix) After approval the accounts of the day will be incorporated in the register

(x) The total amount of deficiency if any for a month is being recovered and credited to the Treasury, the returns and the counter foil tickets of the month will thereafter be destroyed

3 As regards the real causes for leakage in this respect, I may state that there has been no leakage of revenue in this District as may be seen from the annual receipts given below -

Year	Tax collected in Stamps	Cash
1944-45	384-13-4	32-10-8
1945-46	1660-10-3	1253- 1-5
1946-47	2108-12-5	307-11-5
1947-48	4256-15-10	302- 2-2

If there be any such leakage in any other District, I cannot definitely say why there has been leakage elsewhere It may perhaps be possible that the procedure followed in this District is not either followed or strictly adhered to

4 As regards the point whether the officers of the Municipality concerned may not be authorised to supervise the collection work, I called for the views of the Hassan Town Municipality The Municipal President has forwarded a copy of Council resolution dated 6-8-1948 to the effect that for the present, the arrangement in vogue may continue

5 As regards the manner by which the present defects can be removed, I wish to state that the work of supervision may be entrusted to the Revenue Head Accountant or a Senior Clerk of the Accounts Section in all the Districts The procedure laid down in para 2 supra may perhaps be followed, if not so done already

(i) It may not be out of place to mention that the Municipality which does ~~not~~ no work in this connection gets 87½% of the total realisation, while the working agency gets nothing The officials who are entrusted with this work may not evince adequate interest It is better to bind the official entrusted with this work by an allowance of R 10/- per month This point and the work involved deserve kind consideration of Government This amount may be deducted from out of the quota due to the Municipality

(ii) In City or big town area, it is feasible to appoint a whole time clerk, the charge thereof being debited to the income of the Municipality

(iii) Prior to July 1944, one official was being sent to the places of amusements to check whether all the audience possessed tickets duly stamped or passes He used to report the result of checking the very next day and action was being taken in the office to recover the deficit amounts During seasons of importance like Cattle Show some officials were being appointed as Ex-Officio Entertainment Taxes Inspector, and sent in batches of 2 to different places of entertainments, held simultaneously at different places This system was working satisfactorily But consequent on the resolution of the Mysore Cinematograph Board, and at the request of the Inspector General of Police, the Police Inspector, Hassan was delegated with the power under Section 11 of the Act in this office Notification No D Dis A1-C 376/44-45 dated 21-7-1944 On receipt of report from the District Superintendent of Police, Hassan that the Police Inspector will be away from Headquarters very often in a month and that the Town Sub Inspector be empowered to perform the function of the Ex-officio Inspector of Entertainment Taxes under Section 11 of the Act Accordingly the Sub Inspector of Police, Hassan Town has been appointed as Ex-officio Inspector in this Office memo No D Dis A1-C 1495/46-47 dated 6-1-47

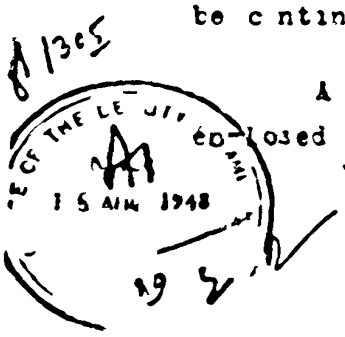
A copy of the resolution of the Hassan Town Municipality Council is herein enclosed as called for

I have the honour to be,
S i r,
Your most obedient servant,

For Deputy Commissioner,
Hassan District
(Absent from Headquarters)

With reference to your letter [illegible] dated 21-7-48 requesting for the opinion of the Council regarding supervision of the collection of Entertainment Taxes etc., I have the honour to state that this subject was considered by the Council at its meeting held on 6-8-48 and they have resolved that the present procedure be continued by the Government

A copy of the resolution of the Council is herein enclosed for kind information



I have the honour to be,
Sir,
Your most obedient servant,

President,
Town Municipal Council,
Kalutara

"Copy"

A. L. Narasimha

President

Town Municipal Council

No J C 57/49 50

49

Office of the District Magistrate,
Tumkur District
Dated, Tumkur, the 7th Sept 1949

From

The District Magistrate,
Tumkur District, Tumkur

To

The Secretary to Govt of Mysore,
Revenue Department, Bangalore

Sir,

With reference to your letter No L 17811-9/E dated 18th June 1948 calling for my opinion on certain points in regard to leakage of receipts under entertainment tax I have the honor to state as follows -

At present there is no prescribed procedure for the systematic checking of collections under the tax The local police are entrusted with the work of checking these collections They obtain statements of the tax recoverable on the collections by sale of tickets of different denominations and forward them to this office No special agency for the checking of these collections has at present been employed in this District The causes for leakage if any will have to be ascertained by exercising a proper check over these collections for some time

The supervision over the collection work in the several municipalities may be entrusted to the municipalities thsmselves who may have their own agency for it

In case the Municipalities do not agree to take up this responsibility the work may be entrusted to a special staff or to the usual Police staff who are placed there on duty and a fair percentage of the amount payable to the Municipal funds (viz 87½% of the total receipts) may be deducted as collection charges

Yours faithfully,

District Magistrate,
Tumkur District

Ad 7/9

50

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT OF
HIS HIGHNESS THE MAHARAJA OF MYSORE

No 734/B.11 *Bangalore dated* 30th April 1948

3876
71 575

From

V T SREENIVASAN Esq B A B Sc
Comptroller to the Government of
His Highness the Maharaja of Mysore
BANGALORE

To

The Secretary to the
Government of Mysore,
Financial Department,
Bangalore

Sir

Adverting to Orders of Government on the last years Budget Note in regard to the investigation of leakage of Receipts under Entertainment Tax I have the honor to state that Revenue by way of Entertainment Tax is derived from two sources (i) By sale of Entertainment Tax stamps which is being booked under V Stamps 4 Entertainment Tax Stamps and (ii) by actual Cash Receipts paid into the Treasury which is being classified under XIII Miscellaneous 5 Entertainment Tax In practice most of the Cinema Proprietors in the City of Bangalore are making payments of the Entertainment Tax by remitting actual cash once in a month on the basis of the statement prepared by them showing the sale of tickets of various denominations The correctness of this statement regarding the numbers of persons who attended and tickets of various denominations sold do not appear to undergo check at any stage either by the Police Department or by the Deputy Commissioner, Bangalore District No proper administrative machinery appears to be in existence for this very important purpose

According to G O No 7374-88/M1 275-32-11 dated 12-5-1933 and the subsequent Circular No 253/B 11 dated 28th August 1933 issued from this office thereon in the matter of accounting of transactions, an account of the Receipts and Expenditure in each local area will have to be maintained by the Deputy Commissioners of each District and this should be reconciled with the Treasury figures and returns received from the proprietors of places of entertainments On enquiry whether the prescribed procedure is being followed, most of the Deputy Commissioners have replied that they are not maintain

maintaining separate accounts

Since the Municipality gets 87½ per cent of the collections under Entertainment Tax, it is the chief loser by the leakage in Entertainment Tax revenue It is therefore a point for consideration why the administration of this Tax should not be vested in the Municipality itself so that it may its Inspecting staff in Cinema Houses and get the facts of attendance etc verified properly then and there

In this connection I am of the opinion that in the absence of proper machinery to administer the collection of the entertainment tax, the permission granted to Cinema Houses to pay in cash on the basis of statements which are not checked by any body has considerably added to the leakage in this revenue The Local Bodies are losing heavily on this account and the administration of this tax may just as well be handed over to them as both the Deputy Commissioners and the Police Department are taking no interest whatsoever in the matter It may be further added that mere enhancement in the rate of levy will not have any effect without setting right the defects in administration and collection of the Tax

This is quite correct

I would also suggest that the Efficiency Audit Officer may be asked to conduct a special investigation into this matter with a view to set right the existing defects in the administration of this Tax

OFFICE OF THE ... FOR FINANCE
3604
Date 7/10/48

I have the honor to be,
Sir,
Your most obedient servant,

Comptroller

CV/30

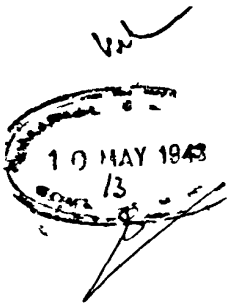
The above report was called for last year The comptroller has investigated the whole question and the above report will make it clear that there is neither any check nor a proper accounting of the receipts It may be that a major portion of the tax is being transferred to local bodies But it is necessary that suitable steps are taken by govt in the first instance to prevent Leakage of Revenue A note has also been called for from the Rev Secy After perusal by the Min for, this may also be sent to the Rev Secy who may give a detailed note suggesting proper safeguards of the Revenue Realisable and the feasibility of enhancing the existing rates

Min for) 6 s 48

52

It may be better to hand over the
administration of the tax to the Municipalities
but these points may be ascertained in
the first instance I am fairly certain
that there is leakage of revenue in this
respect HC DS/5

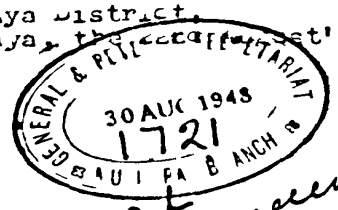
Rev Secy WPC) Croslands



53

J2 PR 1/48-9
8n - one

Office of the District Magistrate,
Wayanad District,
Dated Wayanad, the 27th August'48



From

Jacob K Mohamed Ahmed, B A ,
District Magistrate,
Wayanad District,
Kalpetta

27/8

To

Jacob Syed Abdul Aleem, B A ,
Secretary to Government
Revenue Department
Bangalore

Sir,

Sub - Leakage of receipts under entertainment Tax, preventive measures adopted etc ,

Adverting to your letter No L 17811-9 dated 12-6-48 on the subject mentioned above, I have the honour to furnish replies, as follows -

1 The Sub Division Officer, Revenue Sub Division, Wayanad has been authorised by the Deputy Commissioner Malabar to enter and inspect all places of entertainment in Wayanad Town, with a view to see whether the provisions of the Amusement Act and Rules made there-under are being complied with The Proprietor concerned in this Taluk has been asked to maintain a register, showing the daily transactions of entertainment shows and to submit daily returns, showing the number of tickets sold in different classes and the tax collected thereon The Sub Division Officer, has also been instructed to pay surprise visits to the places of entertainment

2 In the opinion that the system of allowing the Proprietors of Theatres and Cinemas to pay the entertainment tax in cash, without the verification of cash receipts by daily supervision or any check, might have given room for leakage of revenue to some extent

3 The President, Taluk Municipal Council, Wayanad who was consulted in the matter, in his demi official letter No Nil C C 15/48 dated July 1948, that as a major portion of the tax collected is likely to be credited to the Municipal Funds, a recommendation may be made to the Government that the Municipal Chairman may be entrusted with the duty of supervision to the Deputy Collector concerned A copy of his letter is enclosed for

In the circumstances reported by the Comptroller to the Government in his letter No 734/13 dated 30-4-48 (a copy enclosed to your letter) and as suggested by the Taluk Municipal Council, and , I am also opinion, that the Municipal Chairmen may be entrusted with the duty of supervision in all places of Amusement within their jurisdiction, so as to have an effective check and prevent any leakages Further loss of revenue to Government may be prevented, by payment surprise visits to all places of amusement and check in the tickets to see that the adhesive stamps have been affixed properly and cancelled as required by rules under the Amusement Act and also to inspect as detailed in the reply to Ist question

reply to Ist ustier

I have the honour to be,
Sir,
Your most obedient servant,

District ~~X~~ istr te,
atuya District

Copy of letter No A1 O C 15/48 dated 17th July 1948 from the President, Town Municipal Council , Mandya to the Deputy Commissioner, Mandya District, M a n d y a

55

With reference to your Memo No J2 P R 1/48-49 dated 3-7-48 forwarding copy of letter No 734/B (11) dated 30-4-46 of the Comptroller to the Government of Mysore, Bangalore received with letter No L 17811-91 dated 18-6-48 of the Secretary to Government, of His Highness the Maharaja of Mysore, Revenue Department Bangalore, in the matter of effective supervision and check of collections under entertainment tax in the Cinema theatres obtaining within the jurisdiction of the several Departments as suggested by the Comptroller, I have the honour to state that a Major portion of the entertainment tax collected Viz 87½% has to be adjusted to Municipal funds which at present amounts to about Rs 2,000/- per annum as per bills that are being received from the Comptroller with a view to increasing receipts under this head and with a view to have constant check and supervision over the collections to ards entertainment tax to avoid leakage of any slightest revenue to the advantage of the Municipality, it is but necessary and desirable that the Executive Staff of this Municipal Council may be permitted to supervise and check the collection work as this would go a long way in increasing double the revenue of this Municipality

I request you therefore kindly to make suitable recommendation to Government to accord their approval to permit the Municipal staff to check and supervise the collection work of Entertainment tax in the local Cinema theatre and other entertainments on which taxes are levied and recovered

---

C o p y

For Deputy Commissioner,
Mandya District

ksln

proceedings of the special Urgent Meeting of Davangere City Municipality held on 20-6-1948 in the City Municipal Office at 5 P.M.

President

P T Parameshwarappa

Subject	Resolution
3 Consideration of letter No C 3128/47-48 dated 22-6-48 received from the District Magistrate, Chitaldrug calling for opinion regarding the procedure for checking the collection of Entertainment Tax	Since the Comptroller's suggestion is just the Council unanimously agrees for the proposal and is willing to undertake the supervision of the accounts of the Entertainments Tax

---

(Sd) P Parameshwarappa

President

Copy

M S Narasimha Sastry
Municipal Commissioner I C,
Davangere City Municipality

G.P. Veerabhadrappa
President
Town Municipal Council,
Chitaldrug

Lr C No 207/48-49

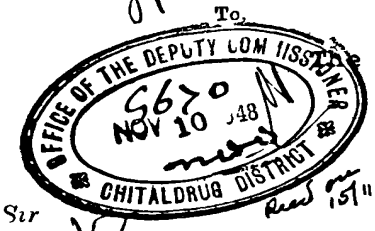
Encls

69 OFFICE OF THE PRESIDENT
TOWN MUNICIPAL COUNCIL
CHITALDROOG Dated ~~11th Sept~~ 7-11-48 194

From

THE PRESIDENT
TOWN MUNICIPAL COUNCIL
CHITALDROOG

91 To,



The Deputy Commissioner,
Chitaldrug District,
Chitaldrug

Sir

Rec'd on 15/11/48

Subject **The Leakage of Receipts under Entertainment Tax**

With reference to you letter No J.C.3128/47-48 dated 22-6-48 I would like to suggest that efficiency check has to be conducted to set right the existing defects in collection of entertainment tax. This revenue is being derived from two sources 1) by sale of entertainment tax Stamps 2) and by actual receipts paid into treasury by the Cinema proprietors remitting actual cash once in a month alongwith a statement showing the sale of tickets of various denominations This has to be checked by the police and the Deputy Commissioner of the District who are not taking any interest whatsoever in this matter as it is beneficial only to local bodies We are losing heavily on the present mode of checking This has to be overcome only when the effective check being done by the respective local bodies in their jurisdiction.

In the interest of local bodies, the efficiency Audit of accounts may be ordered to be conducted by the Municipal agences to set right the defects in administration and collection of the tax Orders of Government ~~may kindly be obtained~~ to authorise the Municipal Officers to supervise and check the collection work in our jurisdiction

I therefore request you to kindly obtain

I remain,
Sir,
Yours Faithfully,
G P Veerendrappa
President
Town Municipal Council,
Chitaldrug

BANGALORE CITY MUNICIPALITY

GENERAL & REVENUE SECRETARIAT 4662 1948

No A1-353/47-48

Encl ~~six~~ (5)

MUNICIPAL OFFICES,
BANGALORE CITY

Dated 13th December 1948

FROM

Janab A S KHALEEL, B A B L
MUNICIPAL COMMISSIONER
BANGALORE CITY

To

Janab MOHAMED ISMAIL SHERIFF, B A
Secretary to the Government of Mysore,
General Department
BANGALORE

SIR

Subject - ENTERTAINMENT TAX

In continuation of this office Letter No A1-353/47-48 dated 23-9-48 regarding the above subject, I have the honour to state that your letter No L 17811-9/E dated 18-6-48 together with a detailed Office Note on the subject was placed before the Managing Committee who have resolved at their meeting held on 17-11-48 that the Office Note is accepted

The Municipal Council before whom the Resolution of the Managing Committee was placed have resolved at their meeting held on 2-12-48 that the Government be requested to confer on the City Municipal Council the right to levy and collect Entertainment Tax under the provisions of the Mysore Amusements Tax Regulations of 1932 by including this Tax under Section 64 (b-XIV) of the City Municipalities Act 1933 and that the Government be requested to accord administrative sanction to authorize some of the officers of this Municipality to supervise and check collection work of this Tax with the cooperation and assistance of the officers of the Deputy Commissioner, Bangalore District (Urban), under the existing rules till such time as the City Municipality acquires and assumes power to collect supervise, and check

Separate action is being taken to frame such rules and Bye-laws as are necessary for the enforcement of Entertainment Tax

Tax by the Municipality, after receipt of orders from Government This matter will be separately dealt with by the Bye-law Committee

4 In order to find out the causes for leakage and misclassification of accounts in the Deputy Commissioner's Office Bangalore District (Urban) relating to the period 1946-47 and 1947-48, the Council have resolved to depute the Head Accountant of this Municipality for the above purpose A copy of this office Letter No A1-353/47-48 dated 15-11-48 addressed to the Deputy Commissioner Bangalore District (Urban) and the Comptroller is also enclosed herewith for information A copy of the Comptroller's Letter No 578/B-2 dated 30-11-48 addressed to the Deputy Commissioner giving him necessary instructions in the matter is also enclosed herewith In accordance with the above, separate action is being taken to verify the previous year's accounts in the office of the Deputy Commissioner

5 The Council have further resolved that the Deputy Commissioner, Bangalore District (Urban) be requested to direct the proprietor of the several picture Houses and organizers of other amusements the City to submit their statements of collections to this office for scrutiny before the amount is credited to the Government Treasury under the existing rules until the full control over this Tax is assumed by the Municipality

6 A copy of the Council Resolution and of the Managing Committee ~~together with a copy of the Office Note~~ referred to in para (1) supra are enclosed herewith for favour of reference

7 I request you to be so good as to obtain early sanction of Government to the resolutions of the Municipal Council (1 and so that necessary action may be taken by the Bye-law Committee to frame required Bye-laws, rules, after receipt of Government Order

8 I request further that approval of Government may kindly be obtained for the action taken to verify old accounts in accor

accordance with the resolution No 4 of the Municipal Council

9 Necessary instructions may be kindly issued very early, to the Deputy Commissioner, Bangalore District (Urban) in regard to submission of accounts by the Cinema Proprietors etc to this office as per Resolution No 5 of the Municipal Council At present no-body is maintaining accounts of this bab or supervising the collections of this Tax This proposal is therefore suggested to keep correct accounts in this office, and to prevent misclassification or any other irregularity that is being committed now This will also enable this office to claim the contribution as and when it falls due, without any inordinate delay that is now being caused

Yours faithfully,

MUNICIPAL COMMISSIONER

Forwarded with compliments

rs/ HONORARY PRESIDENT

PROCEEDINGS OF THE MEETING OF THE COUNCIL DATED 2-12-1948

Subject No 83

Opinion of the Managing Committee dated 17-11-1948 accepting the office note in the matter of taking over control of Entertainment Tax by the Bangalore City Municipality

Resolutions -

This Council resolves that the Government be pleased to confer on the City Municipal Council the right to levy and collect Entertainment Tax under the provisions of the Mysore Amusements Tax Regulations of 1932 by including this Tax under Section 64 (b-XIV) of the City Municipalities Act 1933

2 This Council resolves and directs the Bye-law Committee to frame such rules and bye-laws as it deems fit to levy and collect, account and audit Entertainment Tax under Section 64 (b-XIV) of City Municipalities Act 1933

3 This Council resolves to request the Government to accord administrative sanction to authorise some of the officers of the City Municipality to supervise and check the collection work of the Entertainment Tax with the co-operation and assistance of the Officers of the Deputy Commissioner for Bangalore District under the existing rules till such time as City Municipality acquires and assumes power to collect, supervise and check

4 This Council resolves to request that Comptroller to the Government of Mysore and the Deputy Commissioner, Bangalore District to permit the Head Accountant of the City Municipality to check the accounts registers and returns if any maintained in the office of the Deputy Commissioner for all the years generally and 1946-47 and 1947-48 particularly with a view to find ~~ant~~ the causes of leakage and also to examine if there has been any misclassification as observed by the Comptroller and to permit him to collect necessary particulars from the Cinema Proprietors

5 This Council resolves to request the Deputy Commissioner, Bangalore District (Urban) to direct the proprietors of the several Picture Houses and Organisers of the other amusements within the Municipal limits to submit their statements of collections and other returns with certificates of the several Distributing Companies for check and scrutinize in this office before the amount is credited to the Government Treasury on the due date under the existing rules until the power to levy and collect Entertainment Tax, manage, account and audit is transferred by the Government to and assumed by the City Municipality

Sd K SHAMARAJA IYENGAR
Honorary President

"COPY"

V N S
MUNICIPAL COMMISSIONER

Copy of letter No 578/B2 dated 30th November 1948 from the Comptroller to the Government of Mysore Bangalore to the Deputy Commissioner Bangalore District (Urban) and copy thereof to the Municipal Commissioner, Bangalore City

---

Subject - Entertainment Tax

I have the honour to invite your reference to letter No A1-353/47-48 dated 15-11-48 addressed to you by the Municipal Commissioner Bangalore City Municipality on the above and request you to kindly afford all facilities to the Head Accountant of the Municipality for the collection of statistical particulars relating to the realisations of the Entertainment Tax for the years 46-47 and 47-48

"COPY"

for MUNICIPAL COMMISSIONER

PROCEEDINGS OF THE MANAGING COMMITTEE MEETING HELD ON
17-11-1948

7 Defd Subj 20/5-10-1948 Office Note regarding the administration of control over Entertainment Tax by the City Municipality

Resolution - Office Note is accepted

Sd P SHAMARAJA IYENGAR
Chairman

"COPY"

MUNICIPAL COMMISSIONER

Copy of letter No A1-353/47-48 dated 15-11-48 from the Municipal Commissioner, Bangalore City to the Deputy Commissioner, Bangalore District (Urban), and copy thereof to the Comptroller

---

Subject - ENTERTAINMENT TAX

In continuation of correspondence ending with this office Letter No A1-353/47-48 dated 23-9-1948 regarding the above subject I have the honour to state that as the sum of Rs 54849/- credited to this Municipality towards Entertainment Tax for the year 1946-47 considered to be very low, a reference was made to you in the first instance in this office Letter No A1-353/47-48 requesting you to cause the accounts of the period verified As no reply was received to this effect the Comptroller to whom a reference was also made in this respect, has stated in his Letter No 476/A-III dated 10-2-48 (copy enclosed) that numerous Treasury Schedules for the year 1946-47 have to be verified to find out if the decrease in the credit is due to any misclassification in accounts and that one of the clerks attached to the Audit Section of the Municipality might be deputed for the purpose

2 As the audit section is short of hands and as immediate verification of accounts is essential in the interest of major portion of Revenue under this item is due to the Municipality it is proposed to depute one of the Senior Accountants of this Municipality to collect necessary statistical particulars from the Registers maintained in your office in this respect for the periods 46-47 and also from the Treasury Schedules in the concerned Taluk Treasury

3 I therefore request you to kindly issue needful orders to the concerned staff in your office as well as in the Treasury to which realisations under Entertainment Tax are usually credited, to give necessary help to the Head Accountant of this Municipality who is deputed for collecting necessary statistical particulars in this connection

I would further request that needful instructions may be issued to the Proprietors of the Cinemas in the City to permit this official to collect required particulars in this behalf from the accounts maintained by them for these periods

"COPY"

MUNICIPAL COMMISSIONER

77

No G1 C 5483/47-48 - -OFFICE OF THE DISTRICT MAGISTRATE,
Mysore District,
Dated, Mysore the 6th January 1949

To

THE SECRETARY TO GOVERNMENT,
Revenue Department,
Bangalore

Sir,

In reference

SUBJECT - Leakage of Receipts under entertainment tax

With reference to your letter No L 17811-9 dated 18-6-48 calling for a report on the points raised in your letter along with the opinion of the Municipal Councils in the matter, I have the honour to state as follows -

1 What is the present procedure adopted for checking the collections of the tax in your district and the agency employed in this behalf

The procedure adopted in this District for checking collection of the entertainment tax is that the Police Inspectors have been authorised to check the collection of entertainment tax at the ~~service~~ Source and the statements received from the Cinema Houses are filed in the District Office

2 What are the real causes for the leakage in this respect

The real cause for the leakage of the entertainment tax is due to the fact that there is no systematic verification of the accounts and the counterfoils at the Cinema houses and the accounts of the Cinema houses are not audited by any Government Agency The Police Inspectors who are authorised to check the collections cannot find sufficient time to do this work efficiently and systematically Now when the cinema theatres are increased and are increasing to a large extent in the cities, it is desirable that a special staff or officers of the Municipalities should be entrusted with this supervision work Another cause for the leakage of this revenue is tax dodging and evasion of rules Most of the Cinema Proprietors charge 0-3-11 or 0-7-11 (and some 0-7-8) instead of 0-4-0 and 0-8-0 As pies are not readily available they take the full amount of 0-4-0 and 0-8-0 for each ticket sold By this Govern ment

Government will not get any tax on tickets sold at the face value of 0-3-11 and only 0-0-4 on tickets sold at the face value of 0-7-11 But if tickets at the face value of 0-4-0 and 0-8-0 are sold the entertainment tax to be collected should be 0-0-4 and 0-1-6 This tax evasion very largely contributes to the leakage of the Revenue Besides it is very doubtful if proper value of the stamps are affixed and defaced after issue by tearing the ticket into portions acro s the stamp This requires surprise as well as periodical checkings

3 Whether the officers of the Municipality concerned may not be authorised to supervise the collection work in their respective area in view of the fact that almost the whole of the income i e , 87% of the total receipts in this behalf goes to the funds of the concerned Municipality

The Municipal Officers concerned may be authorised to supervise the collection work under this item also in their respective areas as they get almost the whole of the ~~increase~~ increase The President Municipal Council Mysore has stated that if the entire concern is transferred to the Municipality, separate establishment would be sanctioned exclusively for this purpose to prevent leakage of tax The Presidents Municipal Council T Narasipur and Nanjangud are also agreeable to this proposal

In what manner can the present defects be removed?

The present defects may be remedied by the following measures

(a) It is very desirable that in the cities of Bangalore, Mysore and Davangere and the District Head Quarter towns a uniform system of rates have to be fixed by Government to the Cinema houses which contribute the Major portion of the entertainment tax consistant with the minimum amount of conforts that should be provided for each class The entertainment tax may also be fixed for each class so that no evassion can be attempted as described in item No 2 by the Cinema managements

The system of affixing the stamps may be done

done away with, for the Cinema houses This system is a very cumbersome process and at times, stamps of certain denominations are not available even at the Treasuries with the result that tickets are issued without sufficient stamps under intimation to this office but it will be very difficult to check and get the difference credited to the Treasury Instead the tikkets tolls system for each class may be introduced wherein the tickets will be serially numbered and on the first day of each month an officer would check up the rolls and find out the number of ticket sold for the month in each class and fix up the tax to be credited to Government This will obviate the issue of stamps and will be a savings to Government in the form of Stationary and Printing and the checking of the accounts would also be more easy and no fraud can be practised

(c)The audit of the accounts in general appears also to be necessary to see whether proper accounts have been maintained and correct accounts are being submitted to several Government Departments Besides an audit at present is desirable before introducing the new measures to see if any tax evasions have been practised or if any deficient tax has been recovered so that liability if any may be fixed on them and the amount recovered

The reports received from the President, City Municipal Council and the Presidents Narasipur and Nanjangud Municipalities are herein enclosed for kind information

Yours faithfully,

DISTRICT MAGISTRATE,
MYSORE DISTRICT

TMK/2

80

No [illegible] 21/48-49
Encl one

OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL MYSORE

Date 1st October, 1948

FROM

P SITHARAMAIAH Esq BA BL
President City Municipal Council
MYSORE

TO

Janab Syed Abdul Aleem, B A ,
Secretary to Government,
Revenue Department,
Bangalore

Sir,

Re:-The leakage of Receipts under Entertainment Tax

With reference to your letter No.L.1159-60/4-8-48 requesting to furnish my opinion on the above subject I have the honour to state that replies to the questionraries are furnished in the enclosed list

Yours faithfully,

Sd P Sitharamiah
President.

sfr.

Copy of the above is forwarded with compliments to District Magistrate, Mysore District, with reference to his letter No Gl C 5483 dated 28-6-1948 for information

5310

P Sitharamiah 1/10
President

snr

Reference:- Re: the Entertainment Tax.

Questionaries

Answers.

1. What is the present procedure adopted for checking the collection of the tax in your District and the agency employed in this behalf?

(1)At present there is no agency entertained by the Municipality to check the collections

2. What are the real causes for leakage in this respect?

(2)(a) The correctness of the statement furnished by the Proprietors of Cinemas, Dramas etc , re the number of persons who attended and tickets of various denominations sold is not checked by surprise inspections to the respective Institutions

In Mysore City in almost all the cinemas, the cinema people are selling tickets of the following denominations and recovering excess amount from the public.

Face value of the ticket	Value of stamp affixed	Amount of ticket sold	Value of stamp to be affixed	Loss to the Municipality
0-3-11	Nil	0-4-0	0-0-4½	0-0-4½ pies
0-7-11	0-0-4½	0-8-0	0-0-9	0-0-4½ "

The Proprietors of the several Cinema Theatres are not only recovering the excess from the public by not paying back one pie per ticket of the above denomi-nations to the public but also causing loss to Government revenu by not affixing proper value of stamps, thereby they are gaining large amounts as follows:-

1 For the tickets of = 0-4-0 = 0-0-4½ +0-0-1 per ticket
2. -do. 0-8-0 = 0-0-4½ +0-0-1 do

It is also doubtful if proper value of stamps are being proper affixed and defaced after issue by tearing the ticket into portions across the stamp and returning one portion of the ticket to the person to be admitted to the entertainment and retaining the other half until midday follo ing the close of the entertainment and then destroying it under Clause 13 (4) of the Entertainment Tax rules

3 Whether the officers of the Municipality concerned may not be authorised to supervise the collection work in their respective areas in view of the fact that almost the whole of the income i e , 87½ of the total receipts in this behalf goes to the funds of the Municipality.

If the entire concern is transferred to the Municipality, separate establishment will b entertained exclusively to pr vent the leakage and to check the accounts etc , efficientl

82

4. In what manner can the present defects be removed

Reply vide No 3.

O Shalamone 1/10
President.

S.R

No. HE 1/48

From

TOWN MUNICIPAL OFFICE, 83

NANJANGUD 6-7-48

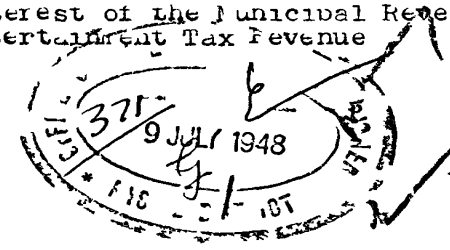
To

THE PRESIDENT
TOWN MUNICIPAL COUNCIL NANJANGUD

THE DEPUTY COMMISSIONER & District Magistra
MYSORE DISTRICT
MYSORE

Sir

With reference to your letter No A 1 C 5436/47-8 dated 28-6-48 addressed to the Commissioner, City Municipality, Mysore and forwarding the copy of it to this office for furnishing my opinion in the matter of checking and collection of Entertainment Tax in this Town, I have the honour to submit that it may be done in the interest of the Municipal Revenue and to avoid leakage of Entertainment Tax Revenue



I have the honour to be,
Sir,
Your most obedient servant,

B N Aradhya

President,
T M C Nan

REF NO C 11/1948 49
ENCL one only -

MUNICIPAL OFFICE 84
T NARASIPUR

Dated 30 7 1948

From

THE PRESIDENT
MUNICIPAL COUNCIL
T NARASIPUP

To

Subject:— Supervision and check of the Collection of Entertainment Tax by the menagers &c owners on cinema theatre Etc

Ref 1) G.O. Ms. No. 2176 1948 Rev (Elec) Dept dated 27-7-1948
2) Letter from the District Magistrate Nellore Dated 28-7-1948 Nellore

Sir, With reference to your memo No. GLC 5483 dated 28 6 1948 regarding the above subject, I beg to report that the matter was placed before the municipal Council held on their meeting on 30 6 1948 and the resolution No. VII was passed and the Extract of the said resolution is herewith enclosed and sent for your kind perusal. Action may kindly be taken as per resolution Extract enclosed herewith.

I beg to remain
Sir
your most obedient Servant

President
Municipal Council
T Narsipur

Recd 1/8/1948

June 1948

Held on 30 6 1948

Present — Ex officio — Absent — 2

Non official Councillors

6

Total 9/9

Resolution No VII

ಅಧ್ಯಕ್ಷರು ಮಾಜಿಸ್ಟ್ರೇಟ್ Vol. 5483 ಕೈ ನಂಬರ್ ನೆಟ್ಟ ವಿವರಾಧಿಕಾರಿಯವರ No L 17811-9 dt 18 6 1948 ರಲ್ಲಿ ಸಂಬಂಧ Entertainment Tax ಸಿದ್ಧಪಡಿಸಿದ್ದು ಮಾಡಿದೆ

ಈ ಅಧಿಸೂಚನೆಯ ಪ್ರಕಾರ ನರಸಿಂಹರಾಜಪುರ Entertainment Tax ನಿಯಮಾವಳಿ ಈ ಕೆಳಕಂಡಂತೆ

(1) ಮೊದಲನೆಯ ಷರತ್ತಿನ Proprietor ಪದದ ಸ್ಥಳದಲ್ಲಿ ಅಥವಾ ಮಾಲೀಕ ಪದವನ್ನು ಸೇರಿಸಿ ಈ ಪ್ರಕಾರ ತಿದ್ದಿ ಬರೆಯಲಾಗಿದೆ

(2) ಈ ಅಧಿಸೂಚನೆಯ ಪ್ರಕಾರ ಮಾಲೀಕರು ಪ್ರತಿ ತಿಂಗಳ ಕೊನೆಯ ದಿನಾಂಕದಿಂದ ಏಳು ದಿನಗಳ ಒಳಗಾಗಿ ಅಧಿಕಾರಿಯವರಿಗೆ ಸಲ್ಲಿಸಬೇಕಾಗಿದೆ

(3) ಮೂರನೆಯ ಷರತ್ತಿನ ಪ್ರಕಾರ ಅಧಿಕಾರಿಯವರು ಮಾಲೀಕರಿಂದ ಸಲ್ಲಿಸಲ್ಪಟ್ಟ ಪತ್ರಿಕೆಗಳನ್ನು ಪರಿಶೀಲಿಸಿ ಅಗತ್ಯವಿದ್ದಲ್ಲಿ ಮಾಲೀಕರಿಂದ ಹೆಚ್ಚಿನ ಮಾಹಿತಿಯನ್ನು ಪಡೆಯಬಹುದಾಗಿದೆ

(4) ಮೂರನೆಯ ಷರತ್ತಿನ ಅನ್ವಯವಾಗಿ ಅಧಿಕಾರಿಯವರು ನಿರ್ಣಯಿಸಿದ ಮೊತ್ತವನ್ನು ಮಾಲೀಕರು ಅಧಿಕಾರಿಯವರು ಸೂಚಿಸಿರುವ ಸಮಯದಲ್ಲಿ ಅಂದರೆ 24 ಗಂಟೆಗಳ ಒಳಗಾಗಿ ಪಾವತಿಸಬೇಕಾಗಿದೆ

ಷರತ್ತು

(1) ಸಿನಿಮಾದ Entertainment Tax ಸಿನಿಮಾ ಪ್ರದರ್ಶನ ಪ್ರಾರಂಭವಾಗುವ ಸಮಯಕ್ಕೆ ಸರಿಯಾಗಿ ಪ್ರದರ್ಶನ ಪ್ರಾರಂಭವಾಗಿ ಅರ್ಧ ಗಂಟೆಯೊಳಗೆ ಪ್ರದರ್ಶನ ಮುಗಿಯುವಂತೆ ಸಿನಿಮಾ ಪ್ರದರ್ಶನ ಏರ್ಪಡಿಸಬೇಕು. ಸಿನಿಮಾ ಪ್ರದರ್ಶನ ಪ್ರಾರಂಭವಾಗುವ ಸಮಯ, ಪ್ರದರ್ಶನ ಮುಗಿಯುವ ಸಮಯ ಮತ್ತು ಪ್ರದರ್ಶನ ಕಾಲವನ್ನು ಅಧಿಕಾರಿಯವರು ಸೂಚಿಸಿದಂತೆ ಪ್ರದರ್ಶನ ಏರ್ಪಡಿಸಬೇಕು

(2) Entertainment Tax ನಿಯಮಾವಳಿಯ ಪ್ರಕಾರ ಮಾಲೀಕರು ಸಲ್ಲಿಸಬೇಕಾದ ಪತ್ರಿಕೆಗಳನ್ನು ನಿಗದಿತ ಸಮಯದಲ್ಲಿ ಸಲ್ಲಿಸಬೇಕು

(3) ಪ್ರದರ್ಶನ ಪ್ರಾರಂಭವಾಗುವ ಸಮಯಕ್ಕೆ ಅರ್ಧ ಗಂಟೆಯೊಳಗಾಗಿ ಸಿನಿಮಾ ಪ್ರದರ್ಶನ ಪ್ರಾರಂಭವಾಗಿ ಅರ್ಧ ಗಂಟೆಯೊಳಗೆ ಪ್ರದರ್ಶನ ಮುಗಿಯುವಂತೆ ಸಿನಿಮಾ ಪ್ರದರ್ಶನ ಏರ್ಪಡಿಸಬೇಕು

(4) Entertainment Tax ನ Statement ನ್ನು ಅಧಿಕಾರಿಯವರು ನಿಗದಿಪಡಿಸಿದ ಸಮಯದಲ್ಲಿ ಸಲ್ಲಿಸಬೇಕು

(5) ಮೇಲಿನ ಷರತ್ತುಗಳಲ್ಲಿ ಹೇಳಿರುವುದಲ್ಲದೆ ಇನ್ನಿತರ Entertainment Taxes ನ ಬಗ್ಗೆ ಅಧಿಕಾರಿಯವರು ಸೂಚಿಸಿದಂತೆ ನಡೆದುಕೊಳ್ಳಬೇಕು

(Sd) S Sreenivasaiengar — 30 6 1948
President

"Extract"

President
Municipal Council
T Narsipur

No A1 353/47-48

CITY MUNICIPAL OFFICES

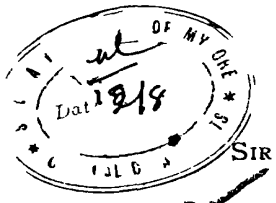
Bangalore dated 11th Aug. *19* 49

FROM

GEORGE MATTHAN B Sc
MUNICIPAL COMMISSIONER
BANGALORE CITY

To

Janab MIR SARDAR HUSSAIN B A
Secretary to the Government of Mysore
General Department
BANGALORE



SIR

Subject - ENTERTAINMENT TAX

In continuation of the marginally noted reference regarding the above subject I have the honour to request that early orders of Government may be kindly obtained in the matter

No A1 353/47-48 of 13-12-48	
No A1 353/47-48 of 11-3-49	
No A1 353/47-48 of 27-5-49	

Yours faithfully

MUNICIPAL COMMISSIONER

BUDGET 87

874
PC(B)

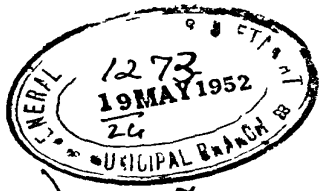
EXTRACT FROM COUNCIL RESOLUTION ON BUDGET ESTIMATES, 1952-53.

XXII OTHER TAXES AND DUTIES. The question of entrusting the work of collection of entertainment tax to the Local Bodies may be examined and proposals brought up for consideration of the Cabinet.

L S G Secy) 2) 15/5/52

3) 16/5

4)



Jt Secy (E&E) Home

5) Submitted A bill has already been prepared & the file referred to the chief secretariat with a comment with the draft bill. The chief secy may be requested to place the file before the cabinet, as per above orders.

25/6

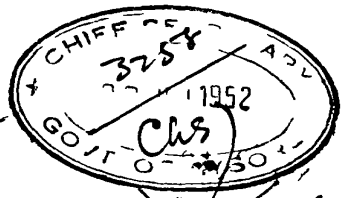
Secy (L&J)

6)

Other Secy)

27/6

28/6/52



Council

7) 30/6/52

Extract from Council Resolution on Budget Estimates – 1952-53.

Ref Cl 130/52-53
1752

Reference Paras (1) and (5)

The Main file Council No C 74/52-53, relating to 'Amendment to Sections (12) and (13) of the Mysore Amusements Tax Act which is pending consideration in Council, is linked to this file

If approved the Subject may be included for consideration at the next Council Meeting

Submitted for perusal and orders

1752

(Chief Secy)

1752

Maybe included
at
27
DM
2/7/52

1752

CHIEF SECRETARIAT
3338
2 JUL 1952
GOVT OF MYSORE

88

COUNCIL NOTE

Subject:- Amendment to Sections 12 and 13 of the Mysore Amusements Tax Act

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At present, the Government have the entire power to exercise control over the administration of the Amusement Tax Act and to check and control the collection of tax Under Section 13 of the Act, they may delegate these powers to any person or to any authority under their control Accordingly, the District Magistrates have been entrusted with these powers 37½% of the tax collected is being credited to the funds of the Municipal Councils and the Government retains 12½% towards supervision charges etc

Some of the Municipal Councils have been urging that they may be entrusted with the powers of supervising the collection work in their jurisdiction in order to minimise the leakage of revenue, arising from want of adequate supervision by the Deputy Commissioners and their subordinates who have got multifarious duties The District Magistrates who were consulted in the matter are generally agreeable to the proposal The Committee consituted under the chairmanship of Sri Bheemappa Naik also recommended among other things that the supervision work may be entrusted to the Municipal Councils The Hon'ble Minister for Local Self-Government has promised in the Legislative Assembly held in April 1951 that this would be done

Experience in the working of the Act also goes in favour of the supervision work being entrusted to the Municipal Councils as it is considered that the Municipal Councils get most of the realisations, will be vigilant and it would go a long way to improve the collection of tax and minimise leakage of revenue Hence, it is proposed to amend Section 13 of the Act, in order to delegate the powers to local authorities also An opportunity has also been taken to amplify the provisions of Section 12 of the Act on the lines of Section 16 of the Madras Entertainment Tax Act so that Government may have more powers to frame rules under the Act for its better administration

89

A Draft Bill to amend the Mysore Amusements Tax Act 1928 has been prepared by the Law Secretariat and has been approved by the Hon'ble Minister for Local Self-Government

The Hon'ble Chief Minister has ordered that the Draft Bill may be considered at a meeting of the Council

(V HANUMANTHAPPA) 15/2/62
for Secretary to Government,
L S G Department

L S 6x2 13/2

THE MYSORE [illegible] TAX (AMENDMENT) BILL, 1951

A Bill further to amend the Mysore Amusements Tax Act, 1932.

Whereas it is expedient further to amend the Mysore Amusements Tax Act, 1932, (Mysore Act VIII of 1932) for the purposes hereinafter appearing;

It is hereby enacted as follows:

1. (1) This Act may be called the Mysore Amusements Tax (Amendment) Act, 1952.

(2) It shall come into force at once.

2. After clause (4) of section 2 of the Mysore Amusements Tax Act, 1932 (hereinafter referred to as the said Act) the following clause be inserted, namely:

"(4 a) Government means the State Government".

3. In section 12 of the said Act, sub-section (2) shall be renumbered as sub-section (3) and for sub-section (1) the following sub-sections shall be substituted, namely:-

"(1) The Government may make rules for securing the payment of the entertainments tax and generally for carrying into effect the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, it may make rules:-

(a) for the supply and use of stamps or stamped or embossed tickets, or for the stamping or embossing of tickets sent to be stamped or embossed, and for securing the defacement of stamps when used;

(b) for the use of tickets covering the admission of more than one person and the calculation of the tax thereon, and for the payment of the tax on the transfer from one part of a place of entertainment to another, and on payments for seats or other accommodation;

(c) for controlling the use of barriers or mechanical contrivances (including the prevention of the use of the same barrier or mechanical contrivance for payments of a

91

of a different amount) and for securing proper records of admission by means of barriers or mechanical contrivances,

(d) for the checking of admissions, the keeping of accounts and the furnishing of returns by the proprietors of entertainments to which the provisions of section 3, sub-section (3) are applied or in respect of which the arrangements approved by the Government for furnishing returns are made under section 4,

(e) for the renewal of damaged or spoiled stamps and for the procedure to be followed on applications for refund under this Act or under the rules made thereunder,

(f) for the keeping of accounts of all stamps used under this Act,

(g) for the presentation and disposal of applications for exemption from payment of the entertainments tax, or for the refund thereof, made under the provisions of this Act;

(h) for the collection of the entertainments tax under this Act and the powers to be exercised by the officers o the Government in that behalf, and

(i) for the issue of passes by proprietors of entertainments for the admission of officers who have to perform any duty in connection therewith or any other duty imposed upon them by law.

Amendment of section 13 of Mysore Act VIII of 1932.

4 In Section 13 of the said Act, for the words "to any person or to any authority" the words "to any local authority or to any person or authority" shall be substituted.

(V Hanumanthappa)
For Secretary to Government,
L S G Department.

knr-12/14.2

Council note 92

subject – Amendment to sections 12 and 13 of the Entertainments Duty Act-

At present, the govt have the entire power to ~~check and supervise the collection of Entertainment tax~~ exercise control over the administration of the Entertainments Tax Act and to check and control the collection of tax under section 13 of this Act, they may delegate these powers to any person or to any authority under their control Accordingly, the Dist Magistrates have been entrusted with these powers ~~under the Act~~ & 7½% of the tax collected is being credited to the funds of the municipalities and the govt retains 12½% towards supervision charges etc

Some of the municipal councils have been urging that they may be entrusted with the powers of supervising the collection work in their jurisdiction in order to minimise the ~~loss to~~ leakage of revenue ~~which is attributed to~~ on account of inadequate supervision by the Dy Comms & other subordinates who have got multifarious duties to

The District Magistrates who were consulted in the matter are generally agreeable to the proposal. The ~~Secretariat Work~~ Committee Committee under the Chairmanship of Sri Athmatta Nair also recommended among other things that the supervision work may be entrusted to the Revenue Divisional Officers. The Hon'ble Law Minister has promised in the Legislative Assembly that this would be done.

please see page 98 of the book for this

Experience in the working of the Act also goes in favour of the supervision work being entrusted to the Revenue officers as it is considered that the Revenue Council, who will get the most of the realizations will be in a better position to effect a better collection of tax & minimise leakage of revenue. Hence, it is proposed to amend section 13 of the Act, in order to delegate the powers to local authorities also. An opportunity has also been taken to amplify the provisions of section 12 of the Act on the lines of section 16 of the Madras Entertainment Tax Act so that Govt may have more powers

⇒ 76

to frame Rules under the Act for its better administration

The Hon'ble Minister for Law has approved of the amendments proposed. The Hon'ble Chief Minister has directed that the draft Bill may be considered at a meeting of the council

A Draft Bill to amend the Tax on Amusements Tax Act 1928 as has been prepared for the consideration of the Council Ministers, with a copy of the Statement of Objects & Reasons is laid on the Table and has been approved by the Hon'ble Law Minister. ↗

49 ✓ 77

Law Secy 13/2

12/2/52

THE MYSORE AMUSEMENTS TAX (AMENDMENT) BILL, 1951

A Bill further to amend the Mysore Amusements Tax Act, 1932.

Preamble. Whereas it is expedient further to amend the Mysore Amusements Tax Act, 1932, (Mysore Act VIII of 1932) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

Short title and commencement. I (1) This Act may be called the Mysore Amusements Tax (Amendment) Act, 1952.

(2) It shall come into force at once.

Amendment of Section 2 of the Mysore Act VIII of 1932. 2. After clause (4) of section 2 of the Mysore Amusements Tax Act, 1932 (hereinafter referred to as the said Act) the following clause be inserted, namely;

"(4 a) Government means the State Government".

Substitution of new section for section 12 of the Mysore Act VIII of 1932. 3. In Section 12 of the said Act, sub-section (2) shall be renumbered as sub-section (3) and for sub-section (1) the following sub-sections shall be substituted, namely:

"(1) The Government may make rules for securing payment of the entertainments tax and generally for carrying into effect the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, it may make rules

(a) for the supply and use of stamps or stamped or embossed tickets, or for the stamping or embossing of tickets sent to be stamped or embossed, and the defacement of stamps when used;

(b) for the use of tickets covering admission to more than one person and the calculation thereon, and for the payment of the tax on the admission to one part of a place of entertainment to which payments for seats of other accommodation

(c) for controlling the use of barriers or other contrivances (including the prevention of access to the same barrier or mechanical contrivance for persons

of a different amount) and for securing proper records of admission by means of barriers or mechanical contrivances;

(d) for the checking of admissions, the keeping of accounts and the furnishing of returns by the proprietors of entertainments to which the provisions of section 73, sub-section (3) are applied or in respect of which the arrangements approved by the Government for furnishing returns are made under section 4;

(e) for the renewal of damaged or spoiled stamps and for the procedure to be followed on applications for refund under this Act or under the rules made thereunder; and

(f) for the keeping of accounts of all stamps supplied to part under this Act;

(g) for the presentation and disposal of applications for exemption from payment of the entertainments tax and for the refund thereof, made under the provisions of this Act;

(h) for the collection of the entertainments tax under this Act and the powers to be exercised by the officers of the Government in that behalf; and

(i) for the issue of passes by proprietors of entertainments for the admission of officers who have to perform any duty in connection therewith or any other duty imposed upon them by law.

Amendment of section 13 of Mysore Act VIII of 1932.

4. In section 13 of the said Act, for the words "to any person or to any authority the words "to any local authority or to any person or authority" shall be substituted.

(V.Hanumanthappa)
For Secretary to Government,
L.S.G. Department.

knr-12/14.2

Power to make rules

16 (1) The Provincial Government may make rules for securing the payment of the entertainemtns tax and generally for carrying into effect the purposes of this Act

(2) In particular and without prejudice to the generality of the foregoing power, they may make rules -

(a) for the supply and use of stamps or stamped or embossed tickets, or for the stamping or embossing of tickets sent to be stamped or embossed, and for securing the defacement of stamps when used,

(b) for the use of tickets covering the admission of more than one person and the calculation of the tax thereon; and for the payment of the tax on the transfer from one part of a place of entertainment to another, and on payments for seats or other accommodation,

(c) for controlling the use of barriers or mechanical contrivances (including the prevention of the use of the same barrier or mechanical contrivance for payments of a different amount) and for securing proper records of admission by means of barriers or mechanical contrivances,

(d) for the checking of admissions, the keeping of accounts and the furnishing of returns by the proprietors of entertainemtns to which the privisions of section 5 are applied or in respect of which the arrangements approved by the Provincial Government for furnisning returns are made under section 6,

(e) for the renewal of damaged or spoiled stamps and for the procedure to be followed on applications for refund under this Act or under the rules made thereunder,

(f) for the keeping of accounts of all stamps used under the Act,

(g) for the presentation and disposal of applications for exemption from payment of the entertainments tax, or for the refund thereof, made under the provisions of this Act,

(h) for the collection of the entertainments tax under this Act and the powers to be exercised by the officers of the Provincial Government in that behalf,

(i) for authorizing any local authority to collect the entertainments tax in the area within the jurisdiction of the local authority or any part of such area and for the powers to be exercised by the officers of the local authority in connexion with such collection,

(j) for the issue of passes by proprietors of entertainments for the admission of officers who have to perform any duty in connexion therewith or any other duty imposed upon them by law, and

(k) for any other matter for which there is no provision or no sufficient provision in this Act and for which provision is in the opinion of the Provincial Government, necessary for giving effect to the purposes of this Act

(3) In making a rule under sub-section (1) or sub-section (2), the Provincial Government may provide that a breach thereof shall be punishable with fine which may extend to five hundred rupees

(4) The power to make rules conferred by this section shall, except on the first occasion of the exercise thereof, be subject to the condition of the rules being made after previous publication for a period of not less than one month

(5) All rules made under this section shall be published in the Official Gazette, and on such publication shall have effect as if enacted in this Act

THE MYSORE AMUSEMENTS TAX (AMENDMENT)BILL, 1952

*****

A Bill to further amend the Mysore Amusements Tax Act, 1932

Preamble

Whereas it is expedient further to amend the Mysore Amusements Tax Act, 1932, (Mysore Act VIII of 1932) for the purposes hereinafter appearing,

It is hereby enacted as follows

hort title
id commencement

1 (1) This Act may be called the Mysore Amusements Tax (Amendment) Act, 1952

(2) It shall come into force at once

endment of Section of the Mysore Act III of 1932

2 After clause (4) of section 2 of the Mysore Amusements Tax Act, 1932 (hereinafter referred to as the said Act) the following clause be inserted, namely

"(4 a) 'Government' means the State Government"

ubstitution of ew section for ection 12 of he Mysore Act III of 1932

3 In section 12 of the said Act, sub-section (2) shall be renumbered as sub-section (3) and for sub-section (1) the following sub-sections shall be substituted, namely

"(1) The Government may make rules for securing the payment of the entertainments tax and generally for carrying into effect the purposes of this Act

(2) In particular and without prejudice to the generality of the foregoing power, it may make rules-

(a) for the supply and use of stamps or stamped or embossed tickets, or for the stamping or embossing of tickets sent to be stamped or embossed, and for securing the defacement of stamps when used,

(b) for the use of tickets covering the admission of more than one person and the calculation of the tax thereon, and for the payment of the tax on the transfer from one part of a place of entertainment to another, and on payments for seats or other accommodation,

(c) for controlling the use of barriers or mechanical contrivances (including the prevention of the use of the same barrier or mechanical contrivance for payments of a different amount) and for securing proper records of admission by means of barriers or mechanical contrivances,

(d) for the checking of admissions, the keeping of accounts and the furnishing of returns by the proprietors of entertainments to which the provisions of Section 3, sub-section (3) are applied or in respect of which the arrangements approved by the Government for furnishing returns are made under section 4,

(e) for the renewal of damaged or spoiled stamps and for the procedure to be followed on applications for refund under this Act or under the Rules made thereunder,

(f) for the keeping of accounts of all stamps used under this Act,

(g) for the presentation and disposal of applications for exemption from payment of the entertainments tax, or for the refund thereof, made under the provisions of this Act,

(h) for the collection of the entertainments tax under this Act and the powers to be exercised by the officers of the Government in that behalf, and

(i) for the issue of passes by proprietors of entertainments for the admission of officers who have to perform any duty in connection therewith or any other duty imposed upon them by law

Amendment of section 13 of the Mysore Act III of 1932

4 In section 13 of the said Act, for the words " to any person or to any authority" the words " to any local authority or to any person or authority" shall be substituted

STATEMENT OF OBJECTS AND REASONS

*****

At present out of the total revenue realised under the provisions of the Mysore Amusements Tax Act, 1932, within the jurisdiction of local authorities 87½ per cent is handed over to the local authority concerned The local authorities have represented that the revenue on this account is likely to increase if they exercise control over the administration and collection of the tax It is therefore proposed to amend section 13 of the Act Opportunity has also been taken to amplify the provisions of Section 12 on the lines of the section 16 of the Madras Entertainments Tax Act, 1939

3/1/52

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NOTIFICATION

No. 1679—L.C dated Bangalore, 14th October 1952.

Under rule 47 of the *Rules of Procedure and Conduct of Business in the Mysore Legislative Council* the Chairman has been pleased to order the publication in the *Mysore Gazette* of the following Bill, together with the Statement of Objects and Reasons relating thereto and the Bill and the Statement of Objects and Reasons are

THE MYSORE AMUSEMENTS TAX (AMENDMENT) BILL, 1952

A Bill further to amend the Mysore Amusements Tax Act 1932

Preamble

Whereas it is expedient further to amend the Mysore Amusements Tax Act 1932 (Mysore Act VIII of 1932), for the purposes hereinafter appearing

It is hereby enacted as follows —

Short title and commencement

1 (1) This Act may be called the Mysore Amusements Tax (Amendment) Act 1952

(2) It shall come into force at once

Amendment of section 2 of Mysore Act VIII of 1932

2 After clause (4) of section 2 of the Mysore Amusements Tax Act 1932 (hereinafter referred to as the principal Act) the following clause shall be inserted namely —

(4 a) Government means the State Government

Amendment of section 12 of Mysore Act VIII of 1932

3 In section 12 of the principal Act sub section (2) shall be re numbered as sub section (3) and for sub section (1) the following sub sections shall be substituted namely —

(1) The Government may make rules for securing the payment of the entertainments tax and generally for carrying into effect the purposes of this Act

(2) In particular and without prejudice to the generality of the foregoing power it may make rules—

(*a*) for the supply and use of stamps or stamped or embossed tickets or for the stamping or embossing of tickets sent to be stamped or embossed and for securing the defacement of stamps when used

(*b*) for the use of tickets covering the admission of more than one person and the calculation of the tax thereon and for the payment of the tax on the transfer from one part of a place of entertainment to another, and on payments for seats or other accommodation,

(*c*) for controlling the use of barriers or mechanical contrivances (including the prevention of the use of the same barrier or mechanical contrivance for payments of a different amount) and for securing proper records of admission by means of barriers or mechanical contrivances

(*d*) for the checking of admissions the keeping of accounts and the furnishing of returns by the proprietors of entertainments to which the provi sions of sub section (3) of section 3 are applied or in respect of which the arrangements approved by the Government for furnishing returns are made under section 4

(*e*) for the renewal of damaged or spoiled stamps and for the procedure to be followed on applications for refund under this Act or under the rules made thereunder

(*f*) for the keeping of accounts of all stamps used under this Act

(*g*) for the presentation and disposal of applications for exemption from payment of the entertainments tax or for the refund thereof made under the provisions of thi Act

(*h*) for the collection of the entertainments tax under this Act and the powers to be exercised by the officers of the Government in that behalf and

(*i*) for the issue of passes by proprietors of entertain ments for the admission of officers who have to perform any duty in connection therewith or any other duty imposed upon them by law

Amendment of section 13 of Mysore Act VIII of 1932

4 In section 13 of the principal Act for the words 'to any person or to any authority the words to any local authority or to any person or authority shall be substituted

Statement of Objects and Reasons

At present out of the total revenue realised under the provisions of the Mysore Amusements Tax Act 1932 within the jurisdiction of local authorities 87½ per cent is

handed over to the local authority concerned The local authorities have represented that the revenue on this account is likely to increase if they exercise control over the administration and collection of the tax It is therefore proposed to amend section 13 of the Act Opportunity has also been taken to amplify the provisions of section 12 on the lines of section 16 of the Madras Entertainments Tax Act 1939

T CHANNIAH

G S VENKATARAMANA IYER
Secretary

Motions for the introduction of Bills to be moved by the Minister for Local Self Government and Public Health in the Legislative Council.

Sri T Channiah,
(Minister for Local Self Government and Public Health)

Sir,

I beg to introduce -

1. The City of Bangalore Improvement (mendment) Bill, 1952,
2. The City of Mysore Improvement (Amendment) Bill, 1952,
3 The Mysore Amusements Tax (Amendment) Bill, 195-,

which were published in the Mysore Gazette Extra-ordinary dated 14th October 1952 under rule 47 of the Rules of Procedure and Conduct of Business in the Mysore Legislative Council.

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16 10 52

The Mysore Amusements Tax (Amendment) Bill 1952.

The Member in charge of this Bill is the Minister for Local Self Government and Public Health

1 The Bill has ~~been~~ to be introduced in the Legislative Council ~~Assembly~~ on the 20th October 1952

2 The next stage for the passage of the Bill is to move that the Bill be taken into consideration

The form of motion to be made is as follows -

Sir I beg to move

That the Mysore Amusements Tax (Amendment)

Bill 1952 be taken into consideration

The motion is to be followed by a few remarks by the Minister

3 After this motion has been carried any Member may propose an amendment to the Bill

4 After the Bill has been submitted to the House clause by clause and has been adopted without any amendment the Minister in charge of the Bill has to make the following motion

Sir I beg to move

That the Mysore Amusements Tax (Amendment) Bill 1952, be passed

5 If any amendments have been adopted by the House the motion has to be in the following form

Sir I beg to move

That the Mysore Amusements Tax (Amendment)

Bill, 1952 as amended be passed

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OFFICE OF THE DEPUTY COMMISSIONER
KOLAR DISTRICT

No J3 c 181/49 C. 14 SEP 1949 GOVT OF MYSORE

Encl

Dated Kolar 12th September 1949.

To

The Secretary to Government of Mysore
Law Department, Bangalore

SUBJECT Levy of entertainment tax of 4 pies in respect of 0 3 0 annas denomination class tickets

Sir

I have the honour to state that the Manager Probhat Talkies Kolar has presented a petition to me on 19 8 49 stating that he has received instructions from his Head office at Bangalore directing him to affix 4 pies entertainment tax stamps even where the payment for admission is three annas and that accordingly he has been affixing 4 pies stamps to tickets for admission to three annas class from 1st August 1949

But the proprietors of other Cinema Houses in the District are not affixing entertainment tax stamps in respect of tickets of the value of three annas In accordance with section 3 of the Mysore Amusement Tax Act 1933 there is exemption from payment of entertainment tax where the payment for admission is less than 4 annas The tax shall not be leviable where the payment for admission is less than four annas

So far no orders of Government amending section 3 of the Act is received in this office I therefore solicit orders of Government regarding levy of tax in respect of cases where the payment for admission is three annas

I solicit early orders in the matter as suitable action for the recovery of tax in respect of other cinema houses in the District, has to be taken

Yours faithfull,

For Deputy Commissioner
Kolar District

Absent from HQ

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PRABHAT TALKIES

KOLAR

★

M N GEMENT
FAMOUS PICTURES
LO E C Y

Date 19th August 49

The District Magistrate
Kolar District
Kolar

Sir

In Person on 19 8 49 93

e write to inform you that under instructions from our Principals in Bangalore who are understood to have received orders from the Government directing them to affix 0-0-4 tamps to tickets of 0- -0 denomination from 1st August 1949 we h ve been doing so as from the 1st instant although we have not received any orders from you We therefore re uest you to kindly let u know whether there is any such order received by you from the Government and if so kindly let us h ve an endor ement to that effect

Your f ithfully

For PRAB AT TAIKIES

Appendix F G—1]

SUBJECT

98

Diary No of letter replied to

General and Revenue Secretariat

( )

the 19

Date of issue

Signed by

List of enclosures

Copied by

Examined by

Section

File No

Serial No

No L 3668 Dt 27-9-1949

To

The Dy Commr, Bldr Dt (Urban)

Sir,

I am directed to forward herewith a copy of letter No J3 C181/49-50 Dt 12-9-49 from the Dy Commr Kolar Dt, together with a copy of its enclosure in regard to the levy of entertainment tax of 4 pies in respect of 3annas denomination class tickets and to request you to state whether you have issued any orders to the Prabhat Talkies at Bangalore to levy the tax in question and if so, under what authority.

The favour of an early reply is requested.

Yours faithfully

for

Under Secy to Govt

No. II3 C 181/49-50

OFFICE OF THE DEPUTY COMMISSIONER
KOLAR DISTRICT

Dated Kolar 1st November *1949*

To

The Secretary to Government of Mysore,
Law Department, Bangalore.

1744
3190
12 NOV 1949

Sir

Subject - Levy of entertainment tax of 0-0-4 (four pies) in respect of 0-3-0 denomination class tickets

In inviting your kind reference to my letter of even number dated 12/9/49 on the subject mentioned above, I have the honour to request you kindly to ~~intimate~~ early whether section 3 of the Mysore Entertainment Tax Act has been amended cancelling the exemption from payment of entertainment tax where the payment for admission is less than 4 annas to enable me to take suitable action in the matter

Yours faithfully,

Deputy Commissioner,
Kolar District

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(Continuation sheet draft form)

100

No L 0046 & 22/11/1949

To The Dy Commr, Bldrs Dte (Rural)

Sir,

I am directed to invite reference to this office letter No L 3668 & 27-9-49 re the matter levy of entertainment tax @ 4 pies in respect of 3 annas denomination Class tickets and to request that the information called for therein may be expedited

Yours faithfully
for
Under Secy to Govt

Memo No L 0047 & 22/11/1949

Copy of the above is forwarded with compliments to the Dy Comm Kolar Dt with reference to the correspondence ending with his letter No AS C 181/49-50 & 1-11-49

By order
for
Under Secy to Govt

WD 06819—GPB—25 000—26 7 49

L 5046 D 22 - 11

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xxxx

General Department, Bangalore

The Deputy Commissioner,
Bangalore District (Rural)

Sir,

I am directed to invite reference to this office letter No L 3668 dated 27th September 1949 regarding the levy of entertainment tax of 4 pies in respect of 3 annas demonination class tickets and to request that the submission of the information called for therein may be expedited

Yours faithfully,
Sd/- A C Nirvani Gowda,
General Secretary to Government

Memo No L 5047 D 22 11 - 1949

Copy of the above is forwarded, with compliments, to the Deputy Commissioner, Kolar District, with reference to the correspondence ending with his letter No A5 C 181/ 49-50 dated 1st November 1949

By Order,

General Secretary to Government

GENERAL & P I SECRETARIAT
3571
2 NOV 1949
BANGALORE

102

Office of the Deputy Commissioner, & Dt Magte
Bangalore Dist (Urban) Civil Stn,
Bangalore 1 Dated 22nd Novr 49

No 1001/H/40-50

To

The Secretary to the Government of His Highness the
Maharaja of Mysore General Department Bangalore

Sir,

Sub Levy of entertainment tax of four pies in respect of three annas denomination class tickets

---

With reference to your letter No L 3668 dated 27-9-1949 on the above subject, I have the honour to state that an amendment has been issued in Act No XLVIII of 1949 cancelling the proviso to sub section (1) of Sec 3 of the Mysore Amusement Tax Act 1932 published in the Mysore Gazette dated July 21 1949 Since the said proviso is cancelled all classes whether below 4 as or above become taxable

As no notification has been issued by Government fixing the rate of entertainment tax leviable on payments for admission less than four annas the minimum tax of four pies as per existing notification is levied on these tickets also Instructions have accordingly been issued by the Superintendent of Police Bangalore City to the proprietors of the theatres to levy the tax of four pies in respect of less than four annas denomination class tickets The action taken by the Superintendent of Police seems to be correct

I however request that the position may kindly be clarified

Yours faithfully,

DISTRICT MAGISTRATE